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Special National Policy Issue

FOCUS

The monthly magazine of the Joint Center for Political and Economic Studies

Can America Solve Its Biggest Problems?

A Report on Deliberations Among Black Elected Officials and Policy Experts on Health, Education, Drugs and the Economy

- *Health: No Care for Millions*
- *Education: Schools That Work*
- *Drugs: More Jail Than Treatment*
- *The Economy: A Gloomy Forecast*

POLITICAL TRENDLETTER®

Perspective

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Policy and Leadership

This special conference issue of FOCUS, funded by the American Gas Foundation, is devoted almost exclusively to the Sixth National Policy Institute, which was held in Washington, D.C., on January 23-25, 1992. It was sponsored once again by the Joint Center and the seven national caucuses of black public officials, and we all thought it was a great success.

This was the sixth national conference of black elected officials, but the third Institute convened before the onset of the presidential primaries. Convening in a presidential election year ensures that issues of grave importance to black Americans will be injected into the presidential debate. More than 200 black elected and appointed officials from across the country played leadership roles in the Institute. The conference opened with a luncheon salute to black elected officials sponsored by the Congressional Black Caucus. Through a series of workshops and plenary sessions, the 1992 Institute, like its 1984 and 1988 predecessors, provided participants with information and strategies they can use in this election year and over the next five years. Participants focused on four important national concerns: reform of the health care system; economic reform and black economic empowerment; improving education prospects for blacks; and developing effective programs to combat drug abuse.

In 1992, the black community must not only speak out and be heard, but it must make its votes count. That was the message of Jesse Jackson's speech at the Institute's first plenary session, where he issued a challenge to the audience to raise black voter registration by 25 percent.

Two plenary sessions on other important issues took place during the conference. One dealt with some of the problems confronting young black males in our society, and the other closed out the Institute with a candid and hard hitting analysis of the current political situation as seen through the eyes of three prominent journalists, Clarence Page, columnist for *The Chicago Tribune*; Jack Germond, columnist for the *Baltimore Sun*; and Juan Williams, writer for *The Washington Post*.

An Institute "first" proved to be a real winner: a breakfast for high school students from the District of Columbia, called "Can We Talk?" And talk there was—from the platform and at each table. The program was organized to give high school juniors and seniors an opportunity to meet and talk with black elected and appointed officials and others active in public affairs. It was a novel experience for many of the 200 students who came prepared to talk about themselves, their classmates, issues they cared about and the future. Table conversations continued until buses were ready to leave and students departed carrying with them conference materials and a sense of having met people "we don't usually talk to."

Another distinguishing characteristic of the 1992 Institute was the high level of engagement among the participants who listened, commented, argued, exchanged experiences and business cards, and were impatient that there never seemed enough time to "really get into it." The corridors were full of people wanting to continue discussing both issues and strategies. Through the generous support of Philip Morris, Inc., fact sheets and other publications were developed and provided to participants on the four conference topics. Referring to the fact sheet on health care proposals, a city councilman pronounced it more useful than anything he had seen. "I can use this," he said, "the next time we get into an argument about health plans and what they mean." That is precisely what the Institute's sponsors had hoped to accomplish: To help prepare the black community to participate fully and effectively in the political debates and decisions that lie ahead. ■

Eddie N. Williams
PRESIDENT

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Can America Solve Its Biggest Problems?

Black Experts and Elected Officials Debate National Issues

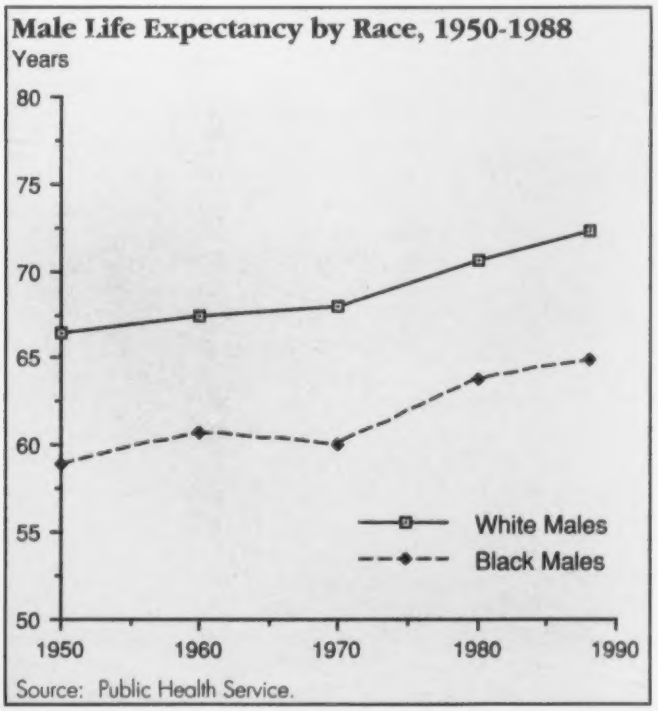
In January, experts representing a range of disciplines assembled in Washington, D.C., at the Sixth National Policy Institute (SNPI). Participants engaged in a series of workshops and plenary sessions focusing on the most pressing problems facing black Americans today: declining health, inadequate education, drug abuse, and dimming economic prospects.

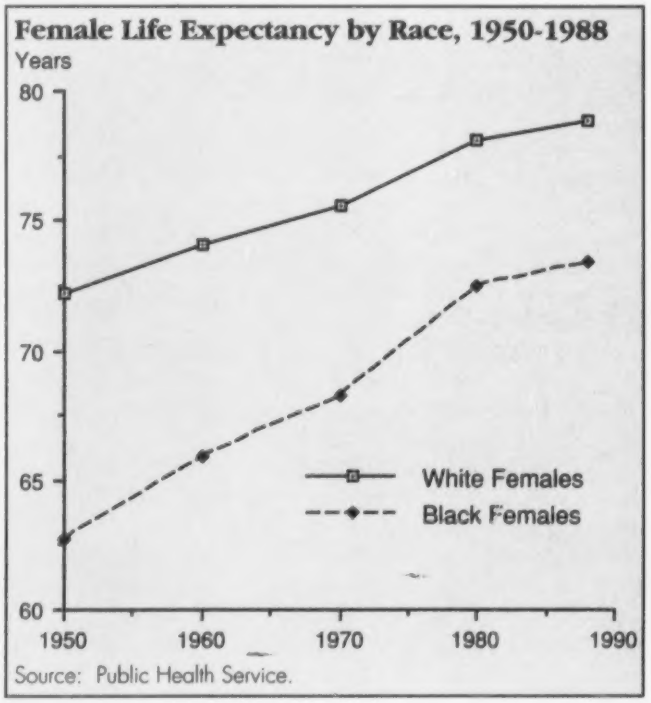
Each problem comes with an expensive price tag for the entire society. Drug abuse—prominently, crack cocaine—is not only a health scourge of epidemic proportions, but also a leading co-factor in the spread of AIDS in poor black communities. Unhealthy and undereducated citizens are less productive in the workplace. Moreover, despite high rates of arrest and conviction of blacks in the drug trade, drug-related homicides have continued to rise. Solutions to these difficulties are nevertheless making their appearance. Model approaches to education and drug treatment and alternatives to incarceration are being employed in localities across the nation, and they can be replicated.

Health: No Care for Millions

The message from experts and analysts who participated in health workshops at the SNPI conference is that the health diagnosis for black Americans as a whole is not good. Several factors contribute to this state of affairs, including racism, poverty, poor education, and high-risk behaviors—most prominently smoking and alcohol consumption. AIDS, which afflicts blacks at a higher rate than other segments of the population, is also a behavior-related disease.

While the health of blacks and Hispanics is deteriorating, their representation among the nearly 40 million Americans who are without health insurance is disproportionately high. To address these issues, national policy makers are engaged in a debate over national health care options.





Access to quality medical care and treatment has decreased for American minority populations over the past 20 years, asserted William H. Turner, visiting scholar at Brandeis University's Bigel Institute for Health Policy. Rueben Warren, assistant director of the Office of Minority Health at the Centers for Disease Control, noted that the problem of decreasing access is made worse by other factors such as racism, low incomes, and poor education. One major reason why many black Americans have been excluded from mainstream health care is that one fourth of the black population is without health insurance. Turner also stated that for the one-third of blacks covered by Medicaid, service is inferior because the average Medicaid physican is

(Continued on page 4)

Health

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less qualified to practice medicine than other practitioners. This is a conclusion based on the number of such doctors who are Board certified and on their average age and hospital admitting records.

Joseph Liu, senior program associate at the Children's Defense Fund, added that the present system of health care in the United States accounts for disproportionate harm to blacks. Infant mortality is more than twice as high among blacks as it is among whites. Liu blames this disparity primarily on insufficient access to prenatal care, which only one half of pregnant black women receive. Since health care in the United States is primarily employee-based, most black women cannot obtain adequate health care owing to their high rates of unemployment and low-wage employment without benefits. As a result, over 60 percent of black children do not have employee-based health care insurance, and that number is on the rise.

Unhealthy Habits

David R. Williams, professor of sociology and epidemiology at Yale University, laid out seven personal health behaviors which had been determined to have a major effect on health and morbidity: smoking, drinking (alcohol), inadequate sleep, poor nutrition, lack of exercise, being overweight, and skipping breakfast. Of all these behaviors, smoking, which causes about 400,000 deaths a year, and drinking, which leads to half of all highway fatalities, were high-risk factors for 80 percent of the black population. Health experts have also cited drug abuse and violence as behaviors contributing to health problems among blacks.

Williams refuted the generally accepted notion that tobacco and alcohol use were purely a matter of personal choice unrelated to race or socioeconomic status. He contended that two societal factors have led blacks to increase their use of alcohol: the urge to escape from the stress associated with poverty and joblessness; and the collusion of government and industry in providing greater opportunities for use of alcohol and tobacco by blacks.

As an example, Williams cited surveys showing that there are many more liquor stores in black and poor neighborhoods as compared with other neighborhoods even though their location is licensed by the government. The federal government, of course, had also provided subsidies to tobacco growers for years.

Williams also asserted that the tobacco and alcohol interests wield power over legislative decision-making through political contributions. They seek to influence public opinion, she said, by contributing to charities and programs such as college scholarships and sporting events that help racial and ethnic groups and by extensively investing in advertising in the black media. At the same time, according to Williams, boycotting or rejecting contributions or investments from tobacco companies and breweries has become much more difficult, since these firms have diversified their holdings into processed foods and other products.

Turning to the impact of AIDS on the health of the black community, federal statistics show that about 200,000 people are currently suffering from AIDS, but it is impossible to provide a solid estimate of the number who will develop AIDS in future years since HIV infection is often symptomless and the virus can be present for as long as 10 years before manifesting itself in the form of AIDS. What we do know is that black women and children are at greatest risk of HIV infection and black men are three times more likely than white men to test positive for HIV. J. Lee Partridge, chief of the District of Columbia Office of Health Care Financing, added that post-diagnosis life expectancy for AIDS patients has increased because of the development of more effective, albeit expensive, drugs. Treating AIDS victims for longer periods of time, however, is likely to push insurance costs up.

Alternative Health Care Systems

Howard Jessamy, president of the District of Columbia Hospital Association, outlined two of the most prominent health care reform proposals under discussion by presidential candidates and national policy makers:

Universal health insurance based on the "Canadian System" would guarantee care to all Americans. The program would be paid for by the federal government from tax dollars. The government would control costs by negotiating with the medical profession and setting prices of services and procedures. Under this system, everyone would be covered except for small out-of-pocket expenses.

The *"pay or play"* approach would require all employers to either provide health coverage to their employees or pay a payroll tax to help finance a government insurance program.

The Bush administration wants to stay with the present system but proposes refinements such as health insurance vouchers for the poor, prohibiting insurance companies from refusing to sell insurance to anyone, and reducing costs by removing incentives for waste and inefficiency and by emphasizing "coordinated care" through programs like health maintenance organizations (HMOs).

As the debate about national health programs continues, some experts are concerned that these proposals may not fully address the needs of the poor in urban and rural communities around the country. Jacqueline Simmons, assistant professor at George Washington University Medical School in Washington, D.C., suggested that because the needs of individual communities vary, state and local programs may offer the best opportunities for reforming health-care delivery systems. William Turner of Brandeis University recommended increased federal funding of neighborhood health clinics and mandatory health education campaigns in schools conducted by medical professionals and counsellors.

Education: Schools That Work

Across the nation, minority students lag behind white students academically. Among the reasons for this disparity is inequitable spending between school systems in mainly white and minority communities. In addition, a growing segment of America's children are slipping below the poverty line and these poorer students bring special problems to school with them.

An enormous amount of pressure has fallen on the shoulders of black education officials and school superintendents to solve these problems. The economic demands to increase teacher salaries and to update textbooks and teaching materials are straining school budgets. Perhaps the greatest challenge for black school officials is to reshape educational institutions to fit the special needs of an increasingly diverse group of students.

Dr. Robert Peterkin, director of the Urban Superintendents Program at the Harvard Graduate School of Education, charged that of the 15,000 schools in this country, few are instructionally effective among minorities. Overall, black and Hispanic children are making progress, but they are not keeping pace with white children. Most of the problems are in urban areas where most children of color are being educated; black and Hispanic males there tend to be cut off from quality education and training.

Peterkin criticized the Bush administration's "America 2000" education program. In his view, "America 2000" consigns minority students to learning by repetition, an approach that does not lead to critical thinking.

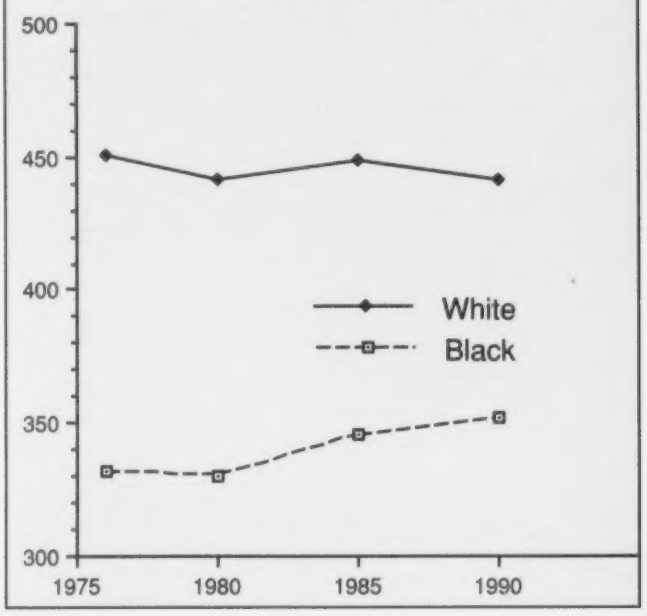
High Expectations Placed on Black Officials

Former District of Columbia school superintendent Floretta McKenzie, president of The McKenzie Group in Washington, D.C., stressed the tremendous pressure placed on black educational officials today: "The expectations are so high for black officials who have made it to superintendencies and other high positions. Parents and community leaders expect all their problems to be solved now that they have a black superintendent." Unfortunately, black superintendents are often appointed only after a school system is in a state of crisis. "It's almost like driving a car and trying to repair it at the same time," McKenzie said.

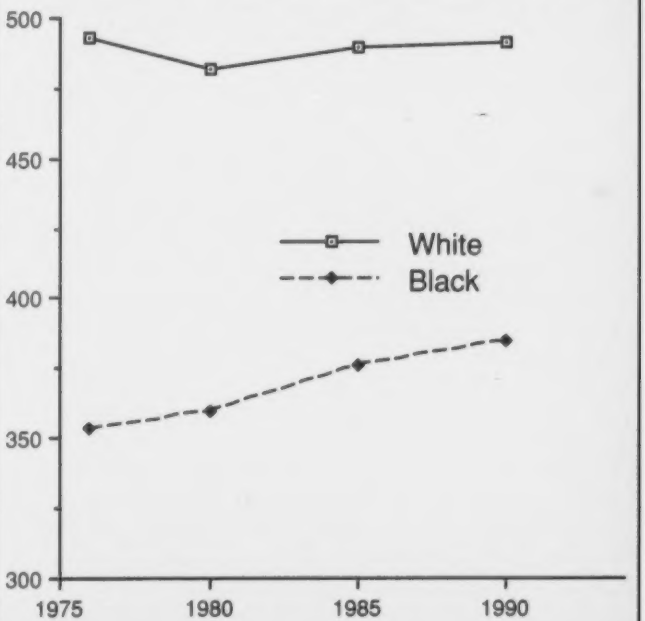
Significant demands and pressures placed on black officials today, according to McKenzie, include the following:

- Employers and public officials demand the education of all children, and not just some. This is really an old demand but it is pressing now because the restructured economy, the downsizing of the military, and social and economic trends make it more urgent than ever that all children gain employable skills.
- Parents demand equity in spending on students regardless of the income of their districts. In some cases, McKenzie noted, even equity spending is not enough because some children need more than others.
- Unions make demands regarding teachers' needs. Unfortunately, McKenzie believes, school districts have already reached their limit regarding union concessions.
- The problems of education are exacerbated by growing poverty, especially the poverty of children. McKenzie advocated greater interagency collaboration, saying, "We have to get the health and social agencies and the schools to work together [and]...to plan together."

SAT Verbal Scores, by Race, 1976-1990



SAT Mathematical Scores, by Race, 1976-1990



Source: College Board Admission Testing Program.

Education

(Continued from page 5)

Two-Tier Education

McKenzie emphasized how wealthy or middle-class students and parents face entirely different school environments with different budgets and political dynamics than lower-income families face. "We have basically a two-tier system, one that works for the wealthy, who demand the best and often get it," she said. "And if the wealthy don't get what they demand, they abandon the system to those who are powerless." She described one school district where the rich and the middle-class all had lawyers (indeed many of the parents were lawyers) and knew how to demand changes from the schools. So it was suggested that the poor get some lawyers—they did, and it went far toward putting them on a more equal footing.

Another aspect of the two-tier problem is the vast disparity in per-pupil spending—the widely disparate amounts spent on public school pupils in rich districts vs. poor ones. As an illustration, McKenzie described one independent suburban district in the Dallas, Texas, area that spends $10,000 per student annually, while a Dallas urban district pays only $5,000 per student.

Tailoring the School to Fit the Child

One conference participant said that mainstream teachers in his area don't know how to identify learning disabilities, that "disruptive" children are being pushed out of the system, and that this has caused the black dropout rate to soar. His question: "Should we expand special education or should we retrain our teachers?" McKenzie responded that "We talk about getting children ready for schools but we have to get the schools ready for the children." She added, "This may sound mean, but some of us [on boards] would rather 'employ people' than apply change. We have to be willing to retrain people."

Joseph Blanding, vice president of the Detroit Board of Education, described how auto plants used to throw out a part—such as a car door—if it didn't fit right away on the assembly line; now the automakers have flexible 'boxes' in the design, so that parts can be adapted more easily. "We need to move the teacher to the box [the school or classroom] that fits her style and also move the pupil to the box that fits his or her learning style." He described one school in Detroit that is now divided into two wings: in one wing the students wear uniforms. One might think that few public-school parents would ever put their children in a school where uniforms were required, but, as Blanding described it, "the day that new wing opened more than 500 students were there to fill all the spaces."

Many American school systems are in serious decline. When Blanding joined the school board, the Detroit system was $210 million in debt, it had a declining enrollment, 17 different bargaining units of teachers and others were facing periodic payless paydays, and textbooks had not been renewed in 10 years. The school board's strategy to turn the situation around was not to just talk about "the resources we'd like to have" but rather to work with "what resources we already had—a $1 billion budget, 10,000 teachers, and 20,000 school employees."

In order to make efficient use of resources, the Detroit system shut down underpopulated schools and reassigned personnel. "We moved administrators who had become paper pushers back into the classroom," said Blanding. An electronic monitoring system was installed, whereby the board could get instant reporting from schools on their student achievement. To deal with the textbook problem, while 'Afro-centric' materials were not specifically sought, the board looked for books that were factually accurate. For example, the board replaced a social studies text that said the oldest known evidence of homo sapiens was found in Europe—and never mentioned the far older fossils of early humans uncovered in Africa. The board spent a long time rejecting replacement textbooks because they didn't meet its standards of accuracy.

Exemplary Programs

Shirley McBay, project director of Quality Education for Minorities Network, in Washington, D.C., outlined an "education that works" plan focused on minority students. The plan includes full funding for Head Start programs and a revision of the pedagogical tracking system that has often excluded minorities from gifted and talented classes. Other effective programs discussed at the conference included these:

- Attorneys in Atlanta have sponsored a mentoring program to reduce truancy;
- The National Science Foundation has begun a program to fund science summer camps for low-income students [NSF contact: David Stoner (202) 357-7350];
- College students are role models and tutors for children in Atlanta housing projects; and
- In New York City and Milwaukee, public schools reach out to parents through workshops and by using parent-family rooms.

There was a consensus that as teachers and school officials seek ways to educate minority students, they must design academic approaches that respect the values and cultures of children from all families. Educators must come to grips with the changing dynamics of family life and its impact on children. Non-traditional family types—single family, dual family, and step-families—are growing. Similarly, teaching should reflect the multicultural and multiracial nature of the American classroom.

It was agreed that the society must accept the grave consequences for not improving the education of minority youth. Poorly educated people are less healthy than others, more likely to be jobless, and they tend to slip into the criminal justice system more frequently. The downstream costs of such neglect—in increased health care, welfare, and the incarceration of more criminals—must be borne by the society. The financial burden is heavy now and it is increasing beyond our means.

February-March 1992

POLITICAL TRENDLETTER

Inside This Issue:

- Jesse Jackson says that black voter registration must increase by 25 percent this election year.
- A Joint Center chart looks at the results of presidential primaries and caucuses.
- Across the Nation: Georgia gets a new black Supreme Court justice; in Illinois, three black candidates sweep House and Senate incumbents from office; in Maryland, Albert Wynn wins in a new majority-black congressional district and former Reagan official Alan Keyes will oppose Senator Barbara Mikulski; and Alexandria vice mayor William Cleveland makes a bid for Congress from Virginia.

A Commitment to Values – Rebuild America

At the opening session of the Sixth National Policy Institute, the Reverend Jesse Jackson issued a call to action. The following are excerpts from his speech.

"As we enter the coming political season, the leadership of this country faces a great challenge. The nation is in pain. We are in the worst recession since the Great Depression. We have the greatest national debt and deficit in history. There are more poor people, more unemployed, more failed financial institutions than at any time since the 1930s. One quarter of all cities are in fiscal crisis. It is time to move beyond politics-as-usual. It is time for leadership to assume the burden of vision and to be bold enough to address the deep problems that we face. Every American has the right to a job, a decent income, and health care. Every American has the right to vote—Washington, D.C., deserves statehood. We need same-day, on-site voter registration. We need alternatives to welfare, a strong private sector with jobs for everybody, and government based on common sense and compassion."

The Margin of Hope. "As African American leaders and elected officials, history has placed a special burden upon us to put the black vote at the center of the moral movement for a better America. There are 20 million African Americans eligible to vote; seven million are unregistered, and nine million did not vote in 1988—the margin of victory for any election. Our vote is not only large, it is strategically concentrated in the South and in California, Illinois, Michigan, Pennsylvania, New York, and New Jersey. In 1988, Dukakis needed 650,000 more votes in 12 key states to win. The unregistered black vote would have provided it in at least eight of those 12—California, Connecticut, Illinois, Maryland, Michigan, Missouri, Pennsylvania, and South Dakota. Dukakis lost by the margin of our non-participation and his preoccupation with the Reagan-Democrats.

"We must raise black voter registration by 25 percent. We have the people and the apparatus to do it, if we have the will. Those two million voters would affect public policy in the entire nation and shift the center of the political debate. Mayor Herenton in Memphis won by 132 votes last year out of 250,000 cast. David Duke was stopped, even as he won 55 percent of the white vote. But when the black vote has done less than its best, we lose. A new governor in Mississippi ran on a platform to repeal the Voting Rights Act. In Michigan, Governor Engler is using a meat-ax approach to cut 90,000 people off public assistance. He won by 17,000 votes, less than the margin of people now abandoned in Detroit alone.

"We still face schemes of disenfranchisement: gerrymandering, at-large elections, annexation, second primaries, inaccessible registration, and 30-day close-outs. We need same-day, on-site, universal voter registration that is known to raise voter participation by 10 to 15 percent. If you are caught speeding, by the time they have written your ticket they have your entire record up on the computer. If we have that level of technology for law enforcement, we can use it to register voters."

Voting our Interests. "The African American community has historically voted its interests. And its interests are indistinguishable from the national interests. The black vote has an interest in affordable housing, health care, education, fair taxes, jobs and prosperity in the private sector. We cannot win alone. But in coalition with workers, Hispanics, Native Americans, Asians, women, and youth, we can take back our democracy."

Statehood for the District of Columbia. "This year, April 4th, the Rainbow Coalition is organizing a mass demonstration of support for D.C. statehood, ringing the Capitol. The black vote has an interest in statehood for Washington, D.C.—to expand democracy and create two more senators to fight for a plan to rebuild America. Washington has more people than five states, we pay more taxes than 10, and we sent more of our youth to the Persian Gulf than 20 states. Yet we have no vote. Out of 150 elected governments, ours is the only one that disenfranchises the citizens of its capital. D.C. statehood is morally right. It is legally sound and consistent with our commitment to self-determination."

Alternatives to Violence. "As we aim to increase voter registration by 25 percent, we must also aim to reduce crime by 25 percent. There are now 177,000 youths under 25 in state and federal prisons. The nation spends over $47 billion on police protection and corrections. In Washington, D.C., Lorton Penitentiary has 13,000 inmates and a $261 million budget. In Connecticut they are laying off teachers and closing schools and libraries, yet they are building 6,000 new jail cells at $85,000 a cell and spending $24,000 a year to incarcerate each prisoner. If we could rescue 25 percent—44,000 youth—from the cycle of violence, and save 25 percent of the violence budget, that could provide $12 billion to invest in the futures of young people. It means that we must vigorously teach alternatives to violence to our children in their formative years. We must end easy access to guns and drugs. We must enlist the aid of entertainers—high-impact educators who influence and transmit values—in a grand drive to reduce crime and violence.

"Registration up 25 percent—new empowerment. Crime down 25 percent—new resources for humane priorities. It's a question of leadership. On the other hand, under George Bush, unemployment went up by 25 percent. And yet we must not be tempted to correlate economic decline with moral decline. The rise in unemployment was a private economic collapse, due to greed, corruption, mismanagement, and hard hearts in high places. But the rise in crime did not come from food riots, or people breaking into libraries to learn. Do not rationalize crime as a companion to economic decline. We must fight both economic violence and moral violence, and rebuild this nation's ethical and moral foundation as well as its economic foundation."

Corporate Quotas. "In January, President Bush got on a plane with 23 all-white, all-male multimillionaires to go to Japan. They demanded goals, targets, timetables, market share, and quotas, or they threatened legislative reprisals. They demanded international affirmative action. And yet on that trip there was not one labor leader, one small-business person, one woman, one African American, or one Hispanic. There was not one mayor or one governor or one local official. Instead, Bush took men who made millions while laying off workers, losing market share, and depriving cities of tax revenues.

"The failure of the private sector has created a backlog of desperate people dependent on the government. The top 500 companies *have not produced one new job in 10 years*. We need fair trade at home and abroad. We need the same affirmative action measures from U.S. corporations that they demand from the Japanese—fair access, open markets, and a commitment to real results."

An Economic and Ethical Revival. "In the final analysis, the burden for change, the burden for political empowerment, the burden for safe streets, the burden for a more intense commitment to learning and labor, the burden for family stability, rests mainly upon the shoulders of those who need it the most. We must end at-risk lifestyles and address the sinful syndrome of unsafe sex, unsafe guns, unsafe drugs, unsafe study habits, unsafe family values, and unsafe workplace ethics.

"Leadership has the responsibility to step into the breach and move the nation to the moral center. We must be freed from spending tax dollars on jails while teachers are laid off and schools are closed. We must act boldly when 90 million Americans fail to exercise their democratic right to vote. In the final analysis, what is morally wrong will never be politically right, but what is morally right will eventually be politically possible."

Delegate Count and Black Vote in Democratic Primaries and Caucuses

	#D	%V	Clinton		Tsongas		Brown		Harkin		Kerrey		Uncommitted
			#D	%V	#D	%V	#D	%V	#D	%V	#D	%V	#D
(C) Iowa (Feb. 10)	49	.2	0		0		0		**40**		0		9
(P) New Hampshire (Feb. 18)	18	.4	9		**9**		0		0		0		0
(C) Maine (Feb. 23)	23	.2	5		**9**		**9**		0		0		0
(P) South Dakota (Feb. 25)	15	.2	3		0		0		5		**7**		0
(C) American Samoa (March 3)	3	0	0		0		0		0		0		3
(P) Colorado (March 3)	47	4	14		16		**17**		0		0		0
(P) Georgia (March 3)	76	31	**54**	70	22	14	0	9	0	1	0	2	0
(C) Idaho (March 3)	18	.1	0		5		0		**6**		0		2
(P) Maryland (March 3)	67	24	29	55	**38**	25	0	5	0	6	0	2	0
(C) * Minnesota (March 3)	78	1.2	8		15		6		**21**		6		0
(C) Utah (March 3)	23	.6	5		**9**		9		0		0		0
(C) * Washington (March 3)	71	2.4	10		**23**		14		5		4		0
(C) Arizona (March 7)	41	2.4	**15**		14		12		0		Kerrey Out March 5		0
(P) South Carolina (March 7)	43	26	**36**	77	7	5	0	4	0	11			0
(C) Wyoming (March 7)	13	.6	**3**		0		3		0				6
(C) Nevada (March 8)	17	4.8	5		3		**6**		0				3
(C) Delaware (March 10)	14	13.8	3		**5**		3		Harkin Out March 9				3
(P) Florida (March 10)	148	13	**87**	74	58	14	3	10					0
(C) Hawaii (March 10)	20	2.1	**11**		0		1						8
(P) Lousiana (March 10)	60	27	**59**	86	1	3	0	7					0
(P) Massachusetts (March 10)	94	4	0		**81**		13						0
(P) Mississippi (March 10)	39	33	**39**	78	0	3	0	10					0
(C) Missouri (March 10)	77	10	**36**		2		0						29
(P) Oklahoma (March 10)	45	6	**38**		0		7						0
(P) Rhode Island (March 10)	22	2.4	6		**12**		4						0
(P) Tennessee (March 10)	68	15	**56**	82	12	13	0	4					0
(P) Texas (March 10)	196	11	**95**	86	28	5	1	4					72
(P) Illinois (March 17)	164	19	**107**	70	46	12	11	10					0
(P) Michigan (March 17)	131	14	**74**	73	20	9	37	13					0
					Tsongas Out March 19								
Total Delegates, March 23	1680		807		435		156		77		17		135

#D Number of Delegates

%V Percentage of Black Voters (Based on exit polls conducted by Voter Research and Surveys, a company created by ABC News, CBS News, NBC News, and CNN.)

Numbers in bold show the winner with the highest percentage of voters.

* At press time

Across The Nation

GEORGIA: Following through on his vow to appoint minorities to key government positions, Governor **ZELL MILLER** named Fulton County Superior Court Judge **LEAH J. SEARS-COLLINS** to the state supreme court. Sworn in on March 6, Sears-Collins replaced Justice George Smith, who retired. She will have to run for election to a full six-year term this summer. The 36-year-old graduate of Emory University Law School is the first woman and the second black ever to serve on the state's highest court. Prior to her new position, Sears-Collins served as a county superior court judge—an elected position—for four years and as a judge in Atlanta city court for six years; she practiced with a private Atlanta firm for two years. **ROBERT BENHAM** became the state's first black supreme court justice in 1989.

ILLINOIS: **MEL REYNOLDS**, a 39-year-old black Rhodes Scholar and attorney from Chicago's South Side won his third bid to unseat the outspoken and often controversial Congressman **AUGUSTUS "GUS" SAVAGE** in the March 17 primary. Reynolds beat the incumbent by a more than two-to-one margin. Local observers say two factors—the addition of suburban areas to the 2nd district during the redistricting process and Reynolds' position as a lone challenger—enabled him to out-poll the six-term congressman this time. The newly drawn district remains predominantly black—68 percent—but several urban wards were subtracted from the district and replaced by suburban areas where Reynolds picked up support among white and middle-class black voters.

In two Democratic primary upsets, Cook County recorder of deeds **CAROL MOSELEY BRAUN** beat two-term U.S. Senator **ALAN DIXON**, while **BOBBY RUSH**, a Chicago alderman and vice chair of the Illinois Democratic Party, defeated Congressman **CHARLES HAYES** who has served in the U.S. House since winning a special election in 1983 (see Across the Nation, December 1991). The losses of both veteran legislators seem to stem in part from the anti-incumbent mood of voters around the country. Braun, a former prosecutor and state legislator, was helped in her race by the candidacy of millionaire lawyer **AL HOFELD** who attacked Dixon in a series of negative campaign ads and siphoned off some of the incumbent's support. Though Braun ran an underfinanced campaign, she was helped by the support of women angered by Dixon's vote to confirm **CLARENCE THOMAS** as a U.S. Supreme Court justice. Braun will face Republican **RICHARD WILLIAMSON**, who has served in the Reagan and Bush administrations, in her bid to become the first black woman in the U.S. Senate.

Bobby Rush, who was a leader in the Illinois Black Panther Party in the '60s, took advantage of the recent revelation that Congressman Hayes is number six on the list of House members who overdrew their accounts at the House Bank with a total of 716 bounced checks. Tapping into voter anger about the scandal, Rush edged out Hayes in Illinois' first congressional district. Both Rush and Reynolds are practically guaranteed House seats since their districts contain large black and Democratic majorities.

MARYLAND: In a close race, state senator **ALBERT R. WYNN** won the Democratic nomination for Maryland's newly created majority-black congressional seat by winning 28 percent of the vote, topping a field of 12 candidates in the March 3 primary. Wynn, 40, narrowly defeated Prince George's County state's attorney **ALEXANDER WILLIAMS, JR.**, who had been considered the likely victor throughout the race, fell short with just 26 percent of the vote. Wynn's triumph is attributed to the aggressive campaign he conducted in the 4th district—the nation's first majority-black suburban district—which encompasses sections of Prince George's and Montgomery counties in the Washington, D.C., suburbs (*see* December 1991 TrendLetter). In November Wynn will face black Silver Spring businesswoman **MICHELE DYSON**, the Republican nominee, but in this heavily Democratic district his victory is virtually certain.

ALAN L. KEYES captured the Republican nomination for the U.S. Senate in the March 3 primary, winning 49 percent of the vote in a field of 15 candidates. He will battle formidable Democratic incumbent **BARBARA MIKULSKI** in the general election. Keyes, 41, failed in his 1988 Senate bid against Maryland's other Democratic senator **PAUL SARBANES**, receiving less than 40 percent of the vote, and he faces an uphill challenge this time. A self-proclaimed conservative, Keyes is a former Reagan administration official who most recently headed Citizens Against Government Waste, an organization that advocates lower taxes.

VIRGINIA: Alexandria's black Republican vice mayor, **WILLIAM C. CLEVELAND**, is seeking his party's nomination for the 8th congressional district seat, representing northern Virginia. Opposing him for the nomination are **JOE VASPOLI** and **KYLE McSLARROW**, both white lawyers. If Cleveland wins the June 9 primary, he will face off against first-term Democrat **JAMES P. MORAN, JR.** The 8th district is 13.5 percent black and includes Alexandria, Falls Church, Arlington County and part of Fairfax County.

Cleveland has established a grassroots organization for young black males and works with several youth and drug-rehabilitation oriented community groups. He also helped establish the Alexandria Resident Council on Public Housing which enables residents to purchase housing units.

Drugs: More Jail Than Treatment

The government's response to the national drug crisis has affected black and white Americans differently. While the overwhelming majority of illicit drug users in the United States are white, most drug arrests occur among blacks and other minorities. Minorities convicted of drug crimes are also more likely than whites to receive mandatory minimum sentences. Unfortunately, as a society, we are better equipped to incarcerate black drug users than to treat their addictions. Minorities without health insurance or the ability to pay must wait up to a year to receive treatment for drug dependency.

"Police intervention is only a small part of the solution to America's drug problem," said David Chavis, director of the Center for Community Education in New Brunswick, New Jersey. Atlanta Police Chief Eldrin Bell agrees. While law enforcement obviously has a place in the war on drugs, Bell said, the role of police should be modified to focus more on the needs of the community. The neighborhood-oriented policing he described requires officers to address the underlying problems contributing to drug abuse and almost to become social workers. Bell noted that the keys to successful neighborhood-oriented policing, which he has instituted in Atlanta, are training and a teamwork style like that common to firefighters. Like firefighters, police officers in Atlanta are being trained to scan, analyze, assess, and respond to each event—with the primary goal of solving a problem or ending a crisis.

Police Chief Isaac Fulwood of Washington, D.C., asserted that in order to fight drugs, state and local governments must make up-front investments in education and health, as well as organizing communities and providing role models. The war on drugs will not be won, he believes, until communities decide to take control away from the drug peddlers. Leon West, director of the National Anti-Drug Campaign for the Congress of National Black Churches, in Washington, D.C., added that churches can serve as a conduit for such efforts.

Sentencing Alternatives

One of the grim harvests of the national drug crisis is the high incarceration rate it has generated among young black offenders who must often face mandatory minimum prison sentences. John Wilson, chair of the District of Columbia City Council, noted that within the United States there are approximately 1.4 million people in prison, of whom 40 percent are minorities. Within the District of Columbia's prison system, 44 percent were convicted of drug offenses and 56 percent tested positive for drug use when arrested.

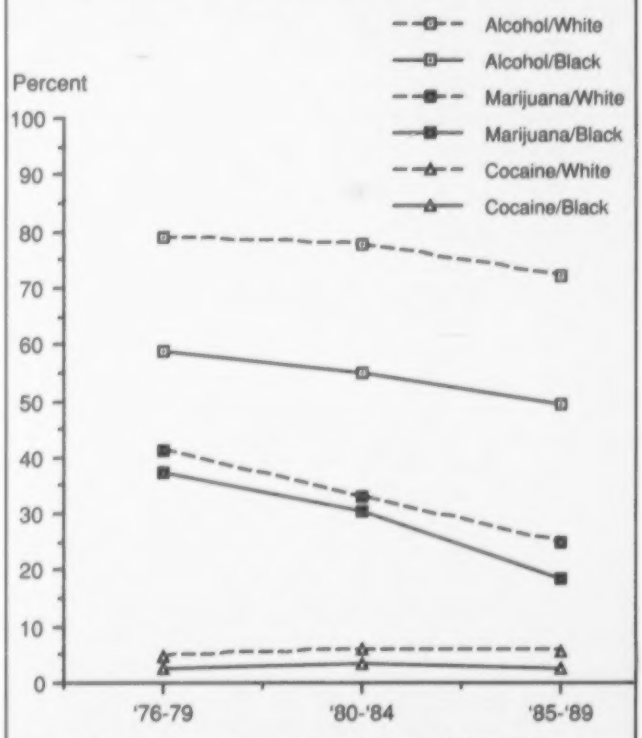
Judge Thelma Wyatt Cummings of the Georgia Superior Court offered this view: "Each day, I am faced with 17- to 23-year-old black males in chains and shackles. Most haven't completed high school, possess practically no job skills, and have no thoughts of what to do with their lives." The following are among the sentences the judge imposes as alternatives to incarceration: those without high school diplomas must work toward GED diplomas or return to school; those with jobs must remain employed; and those with drug problems must receive treatment. Unfortunately, the system is often unable to provide treatment services. According to Cummings, 70 percent of the anti-drug resources in Atlanta are directed toward punishment, with only 30 percent for treatment. The backlog of people waiting for treatment ranges from three months to a year in many American cities.

Cummings recalled that during one jury selection, 20 of the 48 predominantly white prospective jurors reported that they had seen cocaine being used in a social setting. "The people at those cocaine parties aren't arrested," she quipped. "The people brought into the court on charges are 99.6 percent black—the drug runners or dealers—and not the traffickers whose families can afford drug treatment programs. Generally, blacks have no access to treatment, can't come up with bail, and are willing to plead guilty in order to receive a lesser sentence. After a while, for judges, they become 'hopeless and faceless people.'"

An Arrest Record for Every Black Male?

Jerome Miller, president and founder of the National Center on Institutions and Alternatives in Alexandria, Virginia, believes the majority of people in jail do not belong there. He pointed out that the prison population has ex-

Drug Use During the Previous 30 Days, Male High School Seniors, by Race, 1976-1989



Source: Bachman, Wallace, Kurth, Johnson and O'Malley, *Monitoring Occasional Paper 30*, Revised 1991.

Drugs

(Continued from page 7)

perienced a dramatic demographic shift since the system began applying mandatory minimum sentences, primarily because of drug convictions.

The chance of being arrested is generally the highest for young black males. Miller cited a 1968 study by Carnegie Mellon University which found that in any given large city, one in every four male residents could expect to be arrested for a felony; among non-white males, that likelihood rose to one in two. Today, more than 20 years later, the situation is worse: in Los Angeles, over the average black male's lifetime, the chance that he will be arrested is 85 to 90 percent.

Miller believes that incarceration is often the society's inadequate way of dealing with social problems—warehousing illiterates, the jobless, and people with drug problems who slip into the criminal justice system. There is no reason for jail overcrowding, Miller believes. He said that men who are out on work-release during the day can be found at the end of the day seated outside of jails waiting for a cell to open. If these people are trusted to wait outside, he argued, the need for their continued incarceration should be questioned. "But there are many alternatives to incarceration," Miller said, "and research shows these alternatives do work."

Aside from inappropriate uses of incarceration, Miller estimates that two-thirds of the people in jail at any one time are awaiting trial. Of those, a further two-thirds remain in jail because they cannot meet the full bail or even the 10 percent that would be required. Miller stressed that we need basic reforms to gain the freedom to pursue alternatives and social-control methods, such as electronic monitoring devices used by parole boards to keep track of the locations of offenders who are under house arrest.

John Clark, assistant director of the Community Corrections and Detention Division of the Federal Bureau of Prisons, said the federal system uses alternatives whenever possible, including probation, parole, boot camps, halfway houses, and community corrections centers. Another alternative described by Clark involves urban work camps. In this approach, convicts are housed for 18 months in halfway houses either at the end of their sentences or in lieu of prison. Clark said that while correctional professionals are willing to try such community-based options, the public is not so willing. Citizens tend to view such alternatives as soft on crime, even though, according to Julie Stewart, president of Families Against Mandatory Minimums in Washington, D.C., alternative sentences are not in fact soft.

Meanwhile, according to Martin, minimum sentences mandated by federal, state, and local statutes—which offer the appearance of being hard on drug offenders and those committing crimes with weapons—create a separate problem. They are antithetical, she believes, to the idea of justice. "Our philosophy of justice posits that both sides are heard with the judge determining the sentence," she said. "With mandatory minimums, this mandate is not achieved." In her argument she raised these points:

- Low-level participants in the drug trade receive mandatory sentences more often than high-level drug importers, since the latter can provide information leading to the prosecution of others in exchange for reduced sentences.
- Small differences in drug weight result in major differences in sentences for drug users. On one occasion, when a judge ordered that the prosecution's evidence (crack-cocaine) be re-weighed, the difference between the original stated weight and the actual weight saved the defendant seven years off his sentence.
- Nonviolent first offenders regularly spend more time in prison than violent criminals. According to Martin, violent felons such as murderers, rapists, and robbers are frequently granted early release to make room for nonviolent offenders serving mandatory minimums.

It will cost billions of dollars to build new prisons and house future drug offenders. District of Columbia councilman John Wilson estimated that to house each inmate costs approximately $22,000 per year. In order to stop this arbitrary use of the criminal justice system, Julie Stewart said we must debunk the myth that the only choices we have as a society are either more prisons or more crime.

Judge Thelma Cummings stressed the need for a strong national policy that makes treatment a priority. The dilemma for judges, especially those who are elected, is that they must not only uphold the law but be responsive to society. Society needs to understand the futility of building more jails and locking people up as a means of solving problems.

The Economy: A Gloomy Forecast

The recession continues to take its toll on blue-collar and professional workers as well as black entrepreneurs, and economists are not forecasting a strong recovery when the recession is over. Some of the conference participants identified the lack of access to capital and the dismantling of municipal minority set-aside programs as factors that limit minority business development. Others, however, stressed the need to increase our investments in education to expand the pool of skilled workers. Some remedies were proposed. Creation of public-service jobs at the national level was discussed as a way to reduce unemployment. It was also suggested that local investment firms could aid minority business by supporting new start-ups.

In an overview of the current economic status of black Americans, Wayne County (Michigan) Commissioner Arthur Blackwell asserted that while the nation is in a recession, the black community is in a depression. He added that the African-American community has been in a constant state of recession and has always survived. The challenge is to figure out how it can prosper.

The chair of Howard University's Economics Department, Charles Betsey, argued that the current recession is different from other downturns because it was preceded by almost 18 months of economic stagnation. It is likely to be followed by weak growth in the 1.6 to 3 percent range.

compared to a typical 6 percent surge in the first 12 months following recessions in recent years. Betsey blamed this on the federal deficit accumulated during the 1980s which severely weakened the nation's banking and credit system. While low inflation and moderate interest rates are bright spots in the economic picture, the concensus among many economists is that unemployment is likely to remain above 6 percent through 1993.

Despite the anti-recession tonics proposed by Congress and President Bush, Betsey cautioned that there is no quick fix. While a stimulus is needed, he saw no justification for a tax cut for either upper- or middle-income Americans, but said he could make a strong case to reduce taxes on individuals at the bottom of the income scale who suffered the most severe financial setbacks in the 1980s.

Economist Bernard Anderson, president of the Philadelphia-based Anderson Group, pointed to a new twist in this recession: because of corporate downsizing, white-collar workers are being laid off on an unprecedented scale. This is especially bad news for black Americans in an economy that has shifted jobs from the higher paying manufacturing sector to services. The disappearing white-collar positions are precisely the kinds of jobs blacks have aspired to as a means of raising their standard of living.

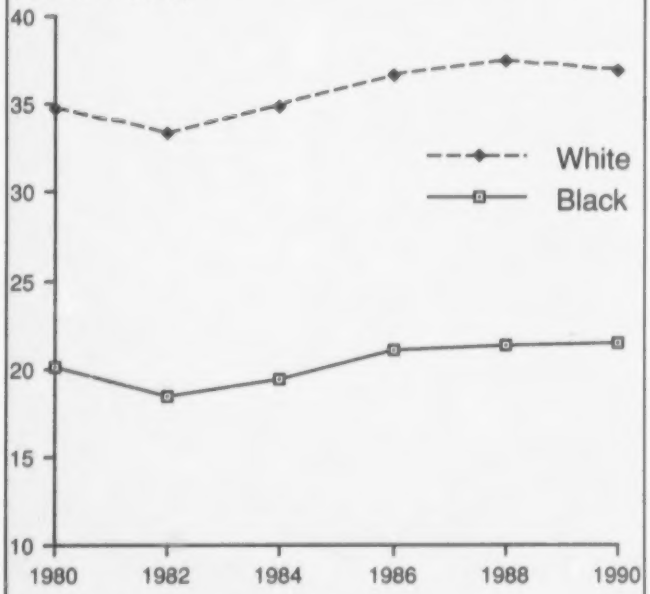
In the long run, Anderson believes, the success of the economy and of the black community requires two kinds of policies: a fiscal policy that will increase spending on physical infrastructure and a policy that stresses investments in education to increase our capacity to compete internationally.

The importance of the latter policy was driven home by the following anecdote. The McDonalds restaurant chain is one of the largest employers of those young people who are slipping through the educational cracks either by dropping out of school or by being graduated based merely on their attendance rather than academic achievement. In order to ensure that all their employees are able to work as cashiers, McDonalds' cash registers now have pictures of food items rather than numbers with dollars and cents symbols on the keys. McDonalds' explanation is that school systems just aren't producing enough young people with a basic education.

Nevertheless, large numbers of well qualified black workers are seeking jobs in an economy that is not producing enough of them. With respect to job creation, Demetra Nightingale, director of Welfare and Training Research Programs for The Urban Institute in Washington, D.C. said that the current recession seems to be creating a climate wherein the issue of public-service employment is once again being considered. There are a number of rationales for the establishment of public service employment: the unemployed are a wasted resource that could add to the net national product; work skills have been shown to deteriorate the longer one remains unemployed; young workers who become discouraged need a safety net to keep them from falling out of the workforce; welfare recipients and retired persons are an untapped resource; and finally, "a job should be a basic right of every individual."

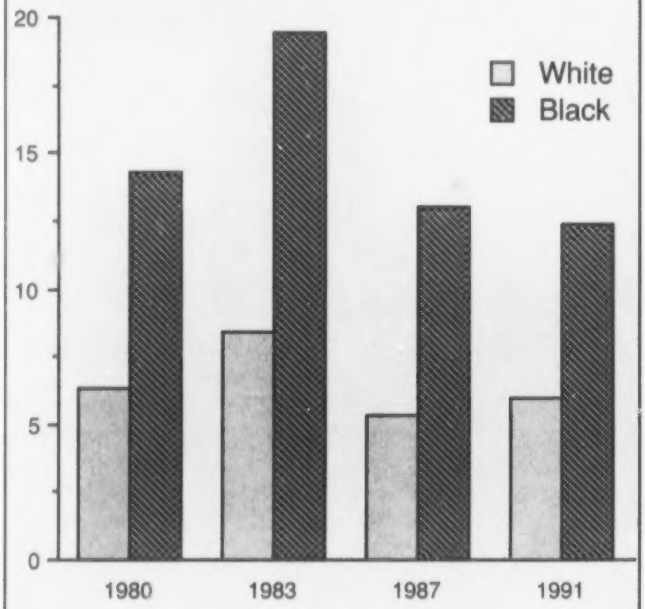
In spite of the "overstated" negatives—such as government's limited ability to create jobs and the burden of administering such programs—benefits of the public-service approach could include more high-quality services for communities and expanded job placement of minorities in both the public and private sectors.

Median Family Income, by Race, 1980-1990
(Dollars in 1,000s)



Source: U.S. Bureau of the Census.

Unemployment Rate, by Race, for Selected Years, 1980-1991



Source: Bureau of Labor Statistics.

Economics

(Continued from page 9)

Black Entrepreneurs Need Cash, Contracts

Andre Carrington, executive director of the Commission on Minority Business Development in Washington, D.C., discussed the findings of the 15-member panel appointed by President Bush to determine how to foster growth among minority business enterprises. After two years of study, an interim report released in March 1991 found the following: many black entrepreneurs lack sufficient access to capital; there needs to be a better system to track the flow of capital to black businesses; and the federal government needs to play a stronger role in tracking the flow of international trade deals among black businesses. The Commission's final report will be released this spring.

Many questions and comments dealt with the 1989 *City of Richmond* v. *J.A. Croson* Supreme Court ruling, which declared the Richmond, Virginia, minority business set-aside program unconstitutional and established rigid standards that jurisdictions must meet before they can establish or operate set-asides. The decision requires that jurisdictions conduct a "disparity" study to prove direct or indirect discrimination against minority firms. It also mandates that remedies be narrowly focused.

Rodney Strong, the director for contract compliance in Atlanta, cited his city as an example of how officials are struggling to develop a program that would meet the standards laid down in the *Croson* decision. With a long-established and progressive set-aside program, Atlanta met the new requirements and reestablished its program by hiring economic consultants to develop a "factual predicate" for the city and to document past discrimination. Their study analyzed the negative effects of conservative economic policies on black Americans, and it documented every type of discrimination against black businesses in the Atlanta construction industry through the testimony of laborers, CPAs, attorneys, and other involved parties. Analyzing data on the past use of minority firms by the city, a "utilization percentage ratio" for every industry in Atlanta was devised.

Atlanta now must establish minority set-aside goals, project by project. The benchmarks are 30 percent African-American and one percent Asians and Native Americans. No goals can be set unless minority business are actually operating in an industry. The city council also passed new legislation requiring joint ventures with minority firms on projects over $10 million and a bonding assistance program for minority businesses involved in those ventures. So far, no one has challenged these new standards in court.

While established black firms are having trouble securing municipal contracts, the lack of capital is preventing some entrepreneurs from getting businesses off the ground. Jennifer Henderson, director of training at the Center for Community Change in Washington, D.C., stated that due to the numerous recent mergers and acquisitions of banks, community banks that used to finance fledgling ventures have become a thing of the past. Banks still located in black communities but owned by large national or multinational parent companies have no sense of commitment to local communities.

The Michigan BIDCO (Business and Industrial Development Corporation) Act promotes the formation of business and industrial development corporations which in turn provide financing and management assistance to minority firms. Karl Gregory, who chairs the Greater Detroit BIDCO, explained that BIDCOs help minority entrepreneurs get loans and seed capital usually denied them through traditional lending mechanisms. Applicants for BIDCO assistance must raise a certain amount of capital on their own, and it is then matched by loans from the state. These loans have an interest rate of one percent and are payable in 10 years.

Participation in the BIDCO program enables entrepreneurs to earn their way out of interest and principal repayments; in effect, the arrangement ends up being a grant instead of a loan. Response to the program has been high, and Gregory believes that the BIDCO model can be applied in other states. ■

The steering committee responsible for coordinating the SNPI conference were: Edolphus Towns, Chair, Congressional Black Caucus; Webster Brewer, Chair, Judicial Council of the National Bar Association, and Veronica Simmons McBeth, immediate past chair of the Council; Thelma Moore, President, National Association of Black County Officials; Carolyn Long Banks, President, National Black Caucus of Local Elected Officials, and Daniel Tabor, immediate past president of the Caucus; Regis Groff, President, National Black Caucus of State Legislators; Brenda J. Council, President, National Caucus of Black School Board Members; Unita Blackwell, President, National Conference of Black Mayors; Eddie N. Williams, President, Joint Center for Political and Economic Studies; and Russell E. Owens, Director of the National Policy Institute at the Joint Center.

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C. Vernon Gray
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Howard Jessamy, President
District of Columbia Hospital Association
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Sam Lin, Assistant Surgeon General and Acting Deputy Assistant Secretary for Minority Health
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Robert Peterkin, Director
Urban Superintendents Program
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Jessie Rattley, Former President
National League of Cities
Newport News, VA

Adelaide Sanford
New York State Board of Regents, Albany, NY

Lottie Shackelford
Councilwoman, Little Rock, AR

Donald M. Stewart, President
The College Board
New York, NY

Meta Williams
National Urban Coalition
Silver Spring, MD

Drugs

Eldrin Bell, Chief of Police
Atlanta, GA

David Chavis, Associate Director
Center for Community Education, Rutgers University
New Brunswick, NJ

John Clark,
Assistant Director
Community Corrections and Detention Division
Federal Bureau of Prisons
Washington, D.C.

Thelma Wyatt Cummings, Judge
Georgia Superior Court
Atlanta, GA

John Daniels, Mayor
New Haven, CT

John W. Farrell, Acting Assistant Commissioner
Division of Addiction Services
Trenton, NJ

Isaac Fulwood
Chief of Police
Washington, D.C.

Regis Groff, President
National Black Caucus of State Legislators
State Representative
Denver, CO

Jerome Miller, President
National Center of Institutions and Alternatives
Alexandria, VA

Beny J. Primm, Associate Administrator, Office for Treatment Improvement
U.S. Alcohol, Drug Abuse and Mental Health Administration
Washington, D.C.

Julie Stewart, President
Families Against Mandatory Minimums
Washington, D.C.

Leon West
Congress of National Black Churches
Washington, D.C.

John Wilson, Chair
City Council
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Economics

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Wayne County
Board of Commissioners
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Karl Gregory
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Audrey Rowe, Commissioner
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FOCUS

The monthly magazine of the Joint Center for Political and Economic Studies

A Letter on Constitutional Justice

Federal Judge A. Leon Higginbotham Calls Upon Supreme Court Justice Clarence Thomas to Defend the Poor, Minorities, and Women

Training Tomorrow's Black Scientists

Philanthropist Supports a University of Maryland Program to Prepare Black Students for Graduate Study in the Sciences

Black Philanthropy: Centuries of Self-Help

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POLITICAL TRENDLETTER®

Perspective

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Blacks and Jews Must Stand Together

The black and Jewish communities are challenged by these unsettling times. A mere 25 years after the nation ascended the mountaintop of a great moral crusade for civil rights and human decency, we are confronted by a resurgence of racism and anti-Semitism. Specters of bigotry have recently shown themselves in the political rise of David Duke, barely out of the sheets of the KKK and the paraphernalia of Nazism, and in the presidential candidacy of Patrick Buchanan, whose campaign has engendered racial and ethnic distrust. Distinguished historian Arthur Schlesinger recently wrote in the *Wall Street Journal* about the widespread resurgence of hate in the politics of Western Europe and in Eastern Europe as well.

The suffering and discontent of communities like Crown Heights have erupted in anger, reflecting not only black-Jewish tensions but also the intemperance of some personalities who are attempting to polarize our communities. Indeed, the rhetoric of some of today's youth, in both black and Jewish communities, reflects little of the beliefs that once guided our collaboration.

Blacks and Jews share similarly painful histories. Both have been scattered across the globe and have a sense of diaspora—yet we remain conscious of our origins. We have long been aware of our vulnerability, and thus share a strong commitment to the struggle against bigotry and the promotion of brotherhood, both of which are vital to our survival. Twenty-five years ago, blacks and Jews understood the power of coalition politics and we locked arms in pursuit of Martin Luther King's vision of racial harmony. We celebrated victory and dreamed of a unified society, proud of its diversity yet clear about a shared identity as Americans. However, it is not enough that we have credentials shaped in the crucible of history. We must also continue to practice our beliefs and lead by example.

Blacks and Jews must reaffirm their belief in the value of a strong special relationship, in spite of periodic expressions and behaviors that would tend to discourage us. We have shared mutually beneficial ties for over a century. In the early post-slavery years, Jews worked with black leaders to address segregation and Jim Crow laws. And blacks and Jews marched arm-in-arm in the modern struggle for civil rights and social justice. Black and Jewish members of Congress have been close allies in supporting the State of Israel, funding for social programs, civil rights measures, and hate crimes legislation.

We must expand efforts to jointly tackle urgent social problems. This can only be accomplished by narrowing the distance between our two communities through a patient investment of our time, energy, and resources.

The Joint Center and the American Jewish Committee have been firm partners for some time now. Thus far, our two organizations have cosponsored three productive meetings, one to discuss black-Jewish relations, another to discuss the tragic Crown Heights incident of last summer, and a third to explore prospects for joint efforts to launch new programs for economic opportunity. And we are now producing a monograph exploring the past, present, and future of black-Jewish relations.

We believe that these are important steps toward rebuilding bonds that will enable us to weather these unsettling times and, indeed, to build a foundation on which to develop future efforts. ■

PRESIDENT

FOCUS
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A Letter on Constitutional Justice

Federal Judge A. Leon Higginbotham Calls Upon Supreme Court Justice Clarence Thomas to Defend the Weak, the Poor, Minorities, and Women

This article was excerpted from an open letter written to Supreme Court Justice Clarence Thomas on November 29, 1991 by Judge A. Leon Higginbotham, Jr., Chief Judge Emeritus, U.S. Court of Appeals for the Third Circuit. The full text of this letter was published in the January 1992 issue of the University of Pennsylvania Law Review. *Reprints of the full text may be obtained by writing:* University of Pennsylvania Law Review, *3400 Chestnut Street, Philadelphia, Pennsylvania, 19104.*

Dear Justice Thomas:

It has been a long time since we talked. I believe it was in 1980 during your first year as a Trustee at Holy Cross College. I was there to receive an honorary degree. You were 31 years old and on the staff of Senator John Danforth. You had not started your meteoric climb through the government and federal judicial hierarchy. Much has changed since then.

At first I thought that I should write you privately--the way one normally corresponds with a colleague or friend. I still feel ambivalent about making this letter public but I do so because your appointment is profoundly important to this country and the world, and because all Americans need to understand the issues you will face on the Supreme Court. In short, Justice Thomas, I write this letter as a public record so that this generation can understand the challenges you face as an Associate Justice to the Supreme Court, and the next can evaluate the choices you have made or will make.

The Supreme Court can be a lonely and insular environment. Eight of the present Justices' lives would not have been very different if the *Brown* v. *Board of Education* case had never been decided as it was. Four attended Harvard Law School which did not accept women law students until 1950. Two attended Stanford Law School prior to the time when the first black matriculated there. None have been called a "nigger" or suffered the acute deprivations of poverty. Justice O'Connor is the only other Justice on the Court that at one time was adversely affected by a white male dominated system that often excluded both women and minorities from equal access to the rewards of hard work and talent.

By nominating you to the Supreme Court, President Bush has suddenly vested in you the option to preserve or dilute the gains this country has made in the struggle for equality. This is a grave responsibility indeed. In order to discharge it you will need to recognize what James Baldwin called the *force of history* within you. You will need to recognize that both your public life and your private life reflect this country's history in the area of racial discrimination and civil rights. And, while much has been said about your admirable determination to overcome terrible obstacles, it is also important to remember how you arrived where you are now, because you did not get there by yourself.

When I think of your appointment to the Supreme Court, I see not only the result of your own ambition, but also the culmination of years of heartbreaking work by thousands who preceded you. I know you may not want to be burdened by the memory of their sacrifices. But I also know that you have no right to forget that history. Your life is very different from what it would have been had these men and women never lived.

The Impact of Civil Rights Organizations and Lawyers on Your Life

During the time when the civil rights organizations were challenging the Reagan administration, I was frankly dismayed by some of your responses and your denigrations of civil rights organizations. In 1984, the *Washington Post* reported you as criticizing traditional civil rights leaders because instead of trying to reshape the Reagan administration policies they had gone to the news media to "bitch, bitch, bitch, moan and moan, whine and whine." If that is still your assessment of these civil rights organizations or their leaders, I suggest, Justice Thomas, that you should ask yourself every day what would have happened to you if there had never been a Charles Hamilton Houston, a William Henry Hastie, a Thurgood Marshall, and that small cadre of other lawyers associated with them, who set the groundwork for success in the twentieth century racial civil rights cases?....If there had never been an effective NAACP, isn't it highly probable that you might still be in Pin Point, Georgia, working as a laborer as some of your relatives did for decades?

If the NAACP had not been picketing, protesting, and politicking for a 1964 Civil Rights Act, would Monsanto Chemical Company have opened their doors to you in 1977? If Title VII had not been enacted, might not American companies still continue to discriminate on the basis of race, gender and national origin?

The struggles of civil rights organizations and civil rights lawyers have been both moral and physical, and their victories have been neither easy nor sudden. Though the *Brown* decision was issued only six years after your birth, the road to *Brown* started more than a century earlier. It started when Prudence Crandall was arrested in

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Connecticut in 1833 for attempting to provide schooling for colored girls. It was continued in 1849 when Charles Sumner, a white lawyer and abolitionist, and Benjamin Roberts, a black lawyer, challenged segregated schools in Boston. It continued in *Sweatt* v. *Texas* when in 1946 Heman Sweatt filed suit for admission to the Law School of the University of Texas and his application was rejected solely because he was black. Rather than admit him, the university postponed the matter for years and put up a . . . separate and unaccredited law school for blacks. The road to *Brown* continued further in a series of cases against the University of Oklahoma, when in 1950 in *McLaurin* v. *Oklahoma*, G. W. McLaurin, a 68-year-old man, applied to the University of Oklahoma to obtain a doctorate in education. He was "required to sit apart at a designated desk in an anteroom adjoining the classroom, to sit at a designated desk on the mezzanine floor of the library...and to sit at a designated table and to eat at a different time from the other students in the school cafeteria."

The significance of the victory in the *Brown* case cannot be overstated. *Brown* changed the moral tone of America; by eliminating the legitimization of state-imposed racism it implicitly questioned racism wherever it was used. It created a milieu in which private colleges were forced to recognize their failures in excluding or not welcoming minority students. I submit that even Holy Cross, your distinguished undergraduate college, and Yale University were influenced by the milieu created by *Brown* and thus became more sensitive to creating programs for the recruitment of competent minority students. In short, isn't it possible that you might not have gone to Holy Cross if the NAACP and other civil rights organizations, Martin Luther King and the Supreme Court, had not recast the racial mores of America? And if you had not gone to Holy Cross, and instead had gone to some underfunded state college for Negroes in Georgia, would you have been admitted to Yale Law School and would you have met the alumni who played such a prominent role in maximizing your professional options?

What Have Conservatives Ever Contributed to African-Americans?

During the last ten years, you have often described yourself as a black conservative. I must confess that, other than their own self-advancement, I am at a loss to understand what it is that the so-called black conservatives are so anxious to conserve. Now that you no longer have to be outspoken on their behalf, perhaps you will recognize that in the past it was the white "conservatives" who screamed "segregation now, segregation forever!"

It was primarily the conservatives who attacked the Warren Court relentlessly because of *Brown* v. *Board of Education* and who stood in the way of almost every measure to ensure gender and racial advancement. For example, on March 11, 1956, ninety-six members of Congress, representing eleven southern states, issued the "Southern Manifesto" in which they declared that the decision was an "unwarranted exercise of power by the Court, contrary to the Constitution." Ironically, those members of Congress reasoned that the *Brown* decision was "destroying the amicable relations between the white and negro races".... They then pledged to use all lawful means to bring about the reversal of the decision, and praised those states which had declared the intention to resist implementation of the *Brown* decision....Where were the conservatives in the 1950s when the cause of equal rights needed every fair-minded voice it could find?

In the 1960s, it was the conservatives, including the then senatorial candidate from Texas, George Bush, the then governor from California, Ronald Reagan, and the omnipresent Senator Strom Thurmond, who argued that the 1964 Civil Rights Act was unconstitutional. In fact Senator Thurmond's 24-hour-18-minute filibuster during Senate deliberations on the 1957 Civil Rights Act set an all-time record. He argued on the floor of the Senate that the provisions of the Act guaranteeing equal access to public accommodations amounted to an enslavement of white people. If 27 years ago George Bush, Ronald Reagan and Strom Thurmond had succeeded, there would have been no position for you to fill as Assistant Secretary for Civil Rights in the Department of Education. There would have been no agency such as the Equal Employment Commission for you to chair.

If, in 1954, the United States Supreme Court had accepted the traditional rationale that so many conservatives then espoused, would the 1896 *Plessy* v. *Ferguson* case, which announced the nefarious doctrine of "separate but equal" but which allowed massive inequalities, still be the law of the land?

Housing and Privacy

If you are willing, Justice Thomas, to consider how the history of civil rights in this country has shaped your public life, then imagine for a moment how it has affected your private life....In1912, Virginia enacted a statute giving cities and towns the right to pass ordinances that would divide their municipalities into segregated districts for black and white residents. Segregated districts were designated white or black depending on the race of the majority of the residents. It became a crime for any black person to move into and occupy residence in an area known as a white district. Similarly it was a crime for any white person to move into a black district.

If Virginia's law of 1912 still prevailed, and if your community passed laws similar to the former ordinances of Richmond and Ashland, you would not be able to live in your own house in Virginia. Fortunately, the Virginia ordinances and statutes were in effect nullified by a case brought by the NAACP in 1915 where a similar statute of the City of Louisville was declared unconstitutional.

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April 1992

POLITICAL TRENDLETTER

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- Supreme Court makes it easier for jurisdictions to discontinue court-ordered school desegregation programs.
- Former U.S. envoy to South Africa Edward Perkins is appointed ambassador to United Nations.
- A New York Assemblywoman introduces bill calling for Black History Year in 1993.
- Sixteen Democratic presidential primaries and caucuses remain.
- **Across the Nation** looks at elections in new majority-black Congressional districts in North Carolina and Virginia, Dallas State Senator Eddie Bernice Johnson is headed for Washington.

Supreme Court Ruling Eases Court-Ordered Desegregation

On March 31 the U.S. Supreme Court issued a ruling easing judicial supervision of court-ordered desegregation. While the decision does not require lower courts to release schools from desegregation plans, it grants them wider latitude to do so. Some court watchers believe the decision signals an imminent return to segregated schools.

In *Freeman* v. *Pitts*, the Dekalb County (Georgia) school system sought relief from its 1969 desegregation court order, claiming that demographic changes and shifts in housing patterns, rather than intentional discrimination, accounted for any remaining racial imbalance in its student population. More than 70 percent of the pupils in the suburban Atlanta school system are minority, compared to six percent when it first came under desegregation orders. More than half of the black students, who live in mainly black neighborhoods in southern Dekalb County, attend predominantly black schools. Similarly, over half of the white students, most of whom live in northern Dekalb County, attend predominantly white schools.

In an 8-0 ruling in favor of the school system (Justice **CLARENCE THOMAS** did not vote because he had not been confirmed when the case was heard), the High Court decided that because the schools are not responsible for the demographic changes and housing patterns that have led to racially segregated student populations, they could not be held responsible for correcting such racial imbalances.

The ruling reversed and remanded to the 11th Circuit Court of Appeals a 1989 decision of that court. That decision had refused to release the school system from any portion of its 1969 desegregation order until integration had been achieved in six areas: student assignment, transportation, teacher and administration allotment, allocation of resources, quality of facilities, and extracurricular activities.

The majority opinion, written by Justice **ANTHONY KENNEDY** and joined by Chief Justice **WILLIAM REHNQUIST** and justices **ANTONIN SCALIA**, **DAVID SOUTER**, and **BYRON WHITE**, permits district courts to withdraw judicial supervision piecemeal as compliance with a court-imposed desegregation plan is achieved in each area. In the case of Dekalb county, this means the school system can discontinue busing if the lower court determines that desegregation with respect to student assignment has been achieved, while continuing to adhere to court mandates in other areas.

Five concurrences were filed that suggest there is "disagreement among the justices on the issue," according to **GARY ORFIELD**, professor of education and social policy at Harvard University and an authority on school desegregation. Justices Scalia and Souter concurred in the majority opinion and Justice **HARRY BLACKMUN**, in what sounds like a dissent, filed a concurring opinion that was signed by justices **SANDRA DAY O'CONNOR** and

JOHN PAUL STEVENS. The Blackmun concurrence questioned whether the school board might not have "created or contributed to" the racially identifiable schools, saying that "what might seem to be purely private preferences in housing may in fact have been created in part by actions of the school districts." With that in mind Blackmun said the district court should more closely examine the school district's actions and influence on residential segregation.

Justice Souter's concurrence suggested that he recognized a link between school desegregation and housing patterns and that the relationship should be taken into account when considering desegregation supervision. Pointing to the use of portable classrooms (trailers) in southern Dekalb County schools, which are predominantly black, Souter noted that discriminatory factors in the provisions of neighborhood schools may cause parents to make residential choices. He wrote that the "vestige of discrimination in one factor may serve as incubator for resegregation in others."

JANELL BYRD, an attorney in the Washington, D.C., office of the NAACP Legal Defense and Educational Fund, is cautious in her reaction to the ruling. She points out that the decision does not totally eliminate desegregation because "the concept of school desegregation is still intact; school systems are still required to adhere to other factors of court ordered mandates." However, she adds, the high Court's second conservative ruling in as many years on court-supervised desegregation is reason for concern. (In January 1991, the court outlined conditions for an end to such supervision in *Board of Education of Oklahoma City* v. *Dowell*. See February 1991 *FOCUS*.)

Orfield says the Freeman decision is not a clarion call for rapid resegregation, but he predicts that it will spur more school systems to seek release from their court orders. He says although the Court made it easier to opt out, lawyers may not be eager to pursue release because the decision does not force district judges to dismantle desegregation plans. Orfield believes the presence of conservative judges appointed by former President **RONALD REAGAN** and President **GEORGE BUSH** will determine the future, because the decision gives a tremendous amount of power to lower district court judges. "This is taking the issue of integration back into politics," said Orfield. He offered this prognosis: "There will eventually be resegregation. It won't happen fast; but it will happen."

Former Envoy to South Africa Tapped for U.N. Ambassadorship

EDWARD JOSEPH PERKINS, the first black person to serve as United States ambassador to South Africa, was nominated by President Bush in February and confirmed by the U.S. Senate on April 2 as the United States representative to the United Nations. Perkins will replace **THOMAS PICKERING** who was named ambassador to India.

Perkins' nomination as ambassador to South Africa in 1986 by president Reagan came at a time when the U.S. government was divided over what direction its policy on South Africa should take. Congress adopted a don't-do-business-with-them stance against the apartheid government, and backed that up with stiff economic sanctions legislation passed over Reagan's veto. The Administration, on the other hand, not only vetoed sanctions legislation, but also advocated "constructive engagement" to encourage change in South Africa through continued trade and polite persuasion.

Perkins' appointment was viewed warily in some circles where it was argued that because of South Africa's racial history, a black person could not be effective in the role. Former U.S. ambassador to Senegal **WALTER CARRINGTON** says Perkins' performance in the post, which he held from 1986 to 1989, won over his harshest critics and the nay-sayers. Perkins established productive relationships with white South Africans and broke new diplomatic ground in reaching out to South Africa's black community, cultivating meaningful relationships, and even attending the trials of some South African dissidents.

A 64-year-old Louisiana native, Perkins holds a Ph.D. in public policy from the University of Southern California. He began his diplomatic career in 1966 as an intern with the Agency for International Development. From there he moved on to hold several distinguished positions, including counselor for political affairs at the U.S. Embassy in Ghana, 1978-1981; deputy chief of missions at the U.S. Embassy in Liberia, 1981-1983; director of the Office of West African Affairs in the State Department's Bureau of African Affairs, 1983-1985; ambassador to

Liberia, 1985-1986; and director general of the Foreign Service and director of personnel at the State Department since 1989. Perkins is scheduled to assume his office on May 13.

Bill Seeks to Proclaim 1993 Black History Year

New York state assemblywoman **GERALDINE L. DANIELS**, a Democrat representing Harlem's 70th assembly district, is spearheading a drive to declare 1993 "Black History Year," commemorating 130 years since the signing of the Emancipation Proclamation. Daniels, who chairs the assembly's majority Democratic conference, has introduced legislation to that effect in the state assembly and is urging black elected officials at the federal, state and municipal levels to do likewise. A commemorative measure supported by the state's black caucus, the legislation does not require any outlay of government funds.

Daniels says her proposal would enable black Americans to reflect on their past and current achievements and "chart a course for the survival and progress of black Americans for the next 130 years....We must face the future with a plan that will benefit our African-American children." The assemblywoman hopes that black churches and organizations will adopt similar resolutions and plan year-long events for their communities. She will be encouraging corporations and advertising agencies to work with the black print media and broadcast outlets in planning special editions and programs during the year.

Schedule of Remaining Democratic Presidential Primaries

Date	State	Caucus/Primary	# of Delegates*
April 28	Pennsylvania	Primary	169
May 3	Guam	Caucus	3
May 5	District of Columbia	Primary	17
	Indiana	Primary	77
	North Carolina	Primary	84
May 12	Nebraska	Primary	25
	West Virginia	Primary	31
May 19	Oregon	Primary	47
May 26	Arkansas	Primary	36
	Kentucky	Primary	52
June 2	Alabama	Primary	55
	California	Primary	348
	Montana	Primary	16
	New Jersey	Primary	105
	New Mexico	Primary	25
	Ohio	Primary	151
TOTAL			1,241

As of April 20, the standings in the delegate race were as follows:

Bill Clinton	1,269
Paul Tsongas	535
Jerry Brown	288

* 2,145 delegates are needed to win the Democratic nomination.

Across The Nation

NORTH CAROLINA: Congressional redistricting in the Tarheel state has created two majority-black districts. The 12th congressional district, dubbed I-85, represents a stretch of territory along that interstate from Durham to Charlotte. In this race, Greensboro city council member **EARL JONES**, former Winston-Salem alderman **LARRY D. LITTLE**, Durham state representative **HENRY M. "MICKEY" MICHAUX, JR.**, and former Charlotte state senator **MELVIN WATT** make up the slate for the Democratic nomination in the May 5 primary. Michaux and Watt enjoy the strongest name recognition and many analysts see this contest as a two-way race between them. Michaux, a senior partner in his own law firm, is serving his seventh term in the state house. He is a former U.S. attorney for the middle district of North Carolina, a position to which he was appointed in 1977 by President **JIMMY CARTER**.

Watt, also an attorney, served two years as a state senator (1984-1986), completing the unexpired term of black state senator **PHIL BERRY**, who died in office. He opted not to run for a full term in 1986 in order to spend more time with his family. Watt served as campaign manager for Charlotte architect and former mayor **HARVEY GANTT**'s successful bids for city council, mayor, and his unsuccessful U.S. Senate race against incumbent **JESSE HELMS**.

The Republican field for the 12th district includes three black candidates: former Guildford County clerk of the court **BARBARA GORE WASHINGTON** of Greensboro; assistant secretary of state of human resources **GEORGE JONES, SR.** of Raleigh; and **O.C. STAFFORD**, a computer analyst and real estate agent from Greensboro. According to a spokesperson with the National Republican Committee, the GOP is "pushing" Washington's candidacy, but no Republican nominee is expected to fare well in this Democratic district in the general election.

Seven Democratic hopefuls are vying for the state's other majority-black seat representing the 1st congressional district. The black contestants seeking the new Fayetteville and Wilmington area seat are: former Warren County commissioner **EVA CLAYTON** of Littleton; attorney and three-term state representative **THOMAS HARDAWAY** of Enfield; **STACCATO POWELL**, a Methodist minister from Wilson; and **WILLIE RIDDICK**, a former staffer in the district office of retiring incumbent congressman **WALTER JONES, SR.** The white contenders are Stokes businessman **DON SMITH**; Windsor mayor **TOM BRANDON III**; and **WALTER B. JONES, JR.**, of Farmville, a five-term state representative and son of the congressman. Among the black candidates, Clayton and Riddick have the highest name recognition and both have been active in local politics for several years. Clayton was a county commissioner for eight years and assistant secretary of the state's Department of Natural Resources and Community Development for four years. Riddick served in Congressman Jones' office for more than 10 years, and he is a former member of the state's Democratic Executive Council and Executive Committee.

Blacks in the district are concerned that low black voter turnout, together with the possibility of splitting the black vote in the large field of candidates, may jeopardize the chances for a black contender to win. Those two factors could work to the benefit of Jones, the most experienced and best known of the white candidates, who only needs 40 percent of the vote to win. The anticipated scenario is a runoff between Jones and Riddick or Clayton. Should that occur, black residents would have to defy their low-turnout history to deliver the victory to a black candidate.

TEXAS: Democratic state senator **EDDIE BERNICE JOHNSON** sailed to an expected victory in the March 10 Democratic Congressional primary for the newly created majority black 30th district seat (Dallas). Johnson received 91 percent of the vote over her opponent, black businessman **ADOLPH HAUNTZ**. In the general election in November she will face black Republican **LUCY CAIN**, a 44-year-old salesperson for AT&T, who defeated photographer **KEVIN MALONE** for her party's nomination. Johnson is expected to win in November in the heavily Democratic district.

VIRGINIA: Black candidates are seeking both the Democratic and the Republican nominations for the state's new 64 percent black 3rd congressional district seat, which stretches from Richmond to portions of the state's Tidewater cities of Norfolk, Petersburg, Newport News, Portsmouth, and Hampton. The four Democratic hopefuls are **ROBERT C. "BOBBY" SCOTT**, an attorney from Newport News who entered the general assembly in 1978 as a delegate and has been a state senator since 1982; four-term state delegate **JEAN CUNNINGHAM**; **JACQUELYN EPPS**, a Richmond attorney and past chair of the old 3rd district Democratic party; and **JOE FLEMMING**, a Portsmouth Baptist minister.

The Republican contenders are **FREEMAN McCULLERS**, a Richmond bail bondsman, and Richmond businessman **DAN JENKINS**. Jenkins has served as a Republican state central committeeman and is currently chairman of the Black Republican Caucus of Virginia; he is expected to win his party's nomination over McCullers, who has acknowledged voting for both parties through the years. The Republicans will choose their nominee at a May 16 convention, while the Democratic candidate will be chosen in the June 9 primary. According to a state Democratic official, there is no clear front-runner at this point since Cunningham, Epps, and Scott all enjoy high name recognition.

Training Tomorrow's Black Scientists

Philanthropist Supports a University of Maryland Program to Prepare Black Students for Graduate Study in the Sciences

by Wiley A. Hall, 3rd

For decades, historically black colleges and universities took the best and the brightest African-American students and nurtured them, molded them, and instilled in them an overwhelming sense of mission and pride. And for decades, this formula produced the best and the brightest African-American leaders. Now the University of Maryland at Baltimore (UMBC), a research institution in suburban Baltimore with a predominantly white faculty and student body, is using that same formula to improve its academic programs for black students.

UMBC is a 25-year-old, highly regarded public university with about 10,300 graduate and undergraduate students. The school has earned a national reputation in biotechnological research and biochemistry. Last year, a third of UMBC's undergraduate students went on to professional and graduate schools—the highest such percentage among public colleges and universities in Maryland.

In 1988, UMBC launched the Meyerhoff Scholarship program by providing full academic scholarships to 19 African-American men who had excelled in math and science in high school. The school's initial goal was threefold: to take successful young high school students and turn them into successful college students; to reverse the decline of black men in the sciences; and ultimately, to create a determined, talented crop of Ph.D.s in science and math who would be role models for generations to come.

The need for the program is clear. Currently, approximately 13 percent of UMBC's undergraduates and five percent of graduate school students are African-Americans. The overwhelming majority of both the graduate and undergraduate degrees awarded to African Americans during the 1980s were in either the humanities or business fields.

Creating Role Models

The scholarship program owes its origins and much of its success to the efforts of two men, Robert E. Meyerhoff, a wealthy developer and philanthropist who was trained as an engineer at the Massachusetts Institute of Technology, and Dr. Freeman A. Hrabowski III, executive vice president of UMBC and the second-highest ranking administrator at the institution, the first African-American to hold that position. Meyerhoff is a member of a prominent Maryland family well known for supporting the arts in Baltimore, including principal funding for Meyerhoff Hall, the home of the Baltimore Symphony.

Mr. Hall is a columnist with the *Baltimore Sun* newspaper.

Initially, Meyerhoff wanted to find a way to boost the general achievement of African-American males whose overall academic performance had been poor to average. But Hrabowski and Meyerhoff looked at math and science majors at UMBC and on campuses across the country, and found that even the promising students—both black and white—were not doing well. Hrabowski noted, for instance, that his survey of the past performances of bright African-American students at UMBC with high school academic records similar to the Meyerhoff scholars revealed that many had "bled out" of the sciences. "Many black students entering UMBC couldn't handle the math," says Hrabowski. "They would get one poor grade, get discouraged, and change their majors to business or the social sciences."

"This is particularly true for black students on a majority white campus," Hrabowski says. "Black students have to deal with a heightened sense of alienation." Most campuses have few black faculty, and many black students come from school systems where the level of academic competition is low. They are so used to being the best and the brightest in their schools that in many cases they come unprepared for the academic rigor that is required.

According to Hrabowski, the challenges were: how many can we keep in math and the sciences; how many can we keep above a B average; and how many can we keep enthusiastic enough to want to pursue an advanced degree in graduate school?

Dramatic Results

"Frankly," said Hrabowski, "when I looked at all of that, I had hoped to see maybe half of the original 19 succeed." Not only are the original 19 still in the program, but after three years, there are now 70 Meyerhoff scholars, 25 of them women. All 70 students have remained in a math or science program and all have maintained at least a B average. Among the majors pursued by the scholars are chemistry, engineering, computer science, biotechnology, and pre-medicine. The top student, Ahmad Ridley, had maintained a 4.0 average as he entered his junior year. UMBC officials expect 12 of the first 19 scholars to go on to graduate school when they finish. The other seven either are undecided at this point or are leaning toward employment in science- or engineering-related fields.

The scholars come from a range of backgrounds. About half come from homes with college-educated parents, while the other half will be the first in their families to obtain a college degree. The students come from both the

Training

(Continued from page 5)

suburbs and the inner city and from both single- and two-parent households. A significant number were either the oldest child in their family or the only child. They tended to have read more than average and they came from families that emphasized strong personal values.

The school works to get the students on track right from the start. Freshman scholars are brought onto campus for a six-week summer preparatory session where they get to know each other, the faculty, and their academic advisors. During this period, they are required to take an introductory course in African-American studies so that they are not made to feel that this aspect of their identity is unimportant. They also attend cultural events, such as plays and concerts, and meet with black community and political leaders. Throughout their academic career, the scholars meet to see how working as a team can help those with special needs. "Students who are successful have the responsibility of working with students who are having problems," notes Hrabowski. "The failure of one is seen as the failure of all."

> "Students who are successful have the responsibility of working with students who are having problems....The failure of one is seen as the failure of all."

One student admitted that she had become involved in too many extracurricular activities to the detriment of her grades. She and her group discussed which activities were important and which she could drop. Her grades improved markedly the following semester. Other students tend to underestimate the academic rigors they will face in planning their courses. Counselors note a tendency for students to prematurely enroll in advanced placement mathematics courses, or to overload their schedules with too many demanding courses. The emphasis on the group and on teamwork makes it easier for students to confront these issues, regroup, and improve.

"I like the fact that they introduced us to our professors and other people we could go to if we needed help," says Ahmad Ridley, who plans to pursue a Ph.D. in mathematics. "I think that made a difference. It made us feel more like a part of the campus."

Eric Brown, an interdisciplinary major in chemistry and history who attended a predominantly white high school in Pasadena, Maryland, says he was most excited and surprised by the prospect of working with other talented African-American males. "In high school," he says, "I got along with most people. I wasn't ostracized or anything, but I still felt alone, like I was struggling against the odds.... Then you go to this program and see a group of black men just like you, with the same energy level, the same sense of excitement, and you just say, 'Wow! There's still hope out there.' It was almost like spontaneous combustion."

While the initial support for the program came from Meyerhoff's personal fortune, corporations, such as American Telephone and Telegraph, Inc., and Apple Computers Inc., and government agencies such as the National Aeronautics and Space Administration and the National Security Agency, have rushed to support the Meyerhoff Scholarship program to such a degree that the university has been able to establish a $1 million endowment.

The program has even inspired the mother of sophomore Aliceson King to enter the program. Carolyn King, who has a masters degree in engineering from Loyola University, is now seeking a Ph.D. at UMBC in computer science. King says that although she had been thinking about going back for a doctorate for some time, her daughter's experiences at UMBC made her decide to choose that school. She's been dubbed the school's first "super-Meyerhoff" scholar. King, who is president of a newly formed parents' support group for the Meyerhoff scholars, says the program nurtures the students and cultivates a sense of togetherness and belonging to UMBC that other campuses don't provide.

A Critical Mass of Black Scientists

By next fall, there will be over 100 Meyerhoff scholars on campus. Before this program, the university graduated a total of seven black students in math and science over a 10-year period. "We are to the point where I can see this university taking a substantial step toward increasing the pool of black professionals in science and engineering," Hrabowski notes. In 1988, African-American men and women earned a total of 231 Ph.D.s in science and engineering nationwide (less than two percent of the total).

Hrabowski says the program has been useful for the other students and faculty at UMBC to see talented black students, especially black males, doing so well in chemistry and calculus. "If you haven't seen it before, you don't really believe on a gut level that it can happen." As for their success at UMBC, the scholars themselves say the most important factor was that they felt connected both to the university and to each other.

Other universities have adopted features of the Meyerhoff program. But some educators note that the kind of intense commitment needed to duplicate the program in full is missing on most campuses. Few schools can boast of an African-American administrator who has a position as high as Hrabowski's. And few enjoy a wealthy benefactor with the kind of interest in the issue that Meyerhoff has shown.

But Hrabowski dismisses the notion that the success of UMBC's program is personality-driven. "It is an institutional commitment," he says. "The needs of the nation's work force in which white males are expected to become the minority through the early part of the next century leave universities no other choice but to make this kind of commitment now." ■

Black Philanthropy: Centuries of Self-Help

A Forthcoming Joint Center Book Illustrates How Black Institutions Have Been on the Cutting Edge of Social Progress in America

This article was adapted from portions of A Hand Up: Black Philanthropy and Self-Help in America *by Emmett D. Carson, former research associate at the Joint Center and now program officer at the Ford Foundation. The publication will be released this summer.*

Black philanthropy in America is a rich tradition that dates back to colonial days, yet much of that tradition remains unseen and unheralded. Ignorance about this history has prompted accusations from some quarters that the black community is not doing its fair share and exhortations to African Americans to "help their own." Yet, humanitarian activity by blacks on behalf of their own has remained central to African-American culture—and to its survival—for more than two centuries.

The foundations for black philanthropy were laid during the colonial period with the establishment of black churches. These churches often built mutual aid societies or fraternal organizations to address the social and material needs of parishioners and the larger community.

Such aid societies operated out of view of the white society—for good reason. By 1723, Maryland laws restricted independent religious meetings by blacks. This situation did not change when our nation won independence. By 1835, slave states including Virginia, Maryland, and North Carolina banned black social and fraternal organizations.

Education, denied to slaves by law, was a special concern. The New York African Society for Mutual Relief, founded in 1808, established New York City's first black grammar school. Black literary societies became widespread by the beginning of the nineteenth century, making books and libraries available to the black reader.

The Underground Railroad

The 1860 U.S. Census recorded that more than 90 percent of the four million blacks in the South were slaves. Slavery and the response of blacks and whites to it defined a new direction for black philanthropy: social change. Initiated around 1804 and operating until the outbreak of the Civil War, the Underground Railroad helped about 100,000 slaves to escape from the South and then to cope with the hostile conditions they met elsewhere. It carried out national and international fund-raising campaigns, and black business people were among those who regularly contributed time and money. Both blacks and whites served as volunteer "conductors" on this railroad of escape, and offered their homes as stations.

In the late 1800s, black churches established a large number of elementary schools, high schools, and colleges. Between 1800 and 1900, the African Methodist Episcopal church alone allocated over one million dollars to help maintain its 20 colleges and universities. In 1908, the American Baptist Home Missionary Society established 23 black institutions of higher education.

A Debate About Directions

At the turn of the century two powerful thinkers, Booker T. Washington and W.E.B. Du Bois, engaged in a national debate on achieving black progress. Washington, an ex-slave and the president of Tuskegee Institute, saw self-improvement and vocational training as primary avenues. Numerous organizations were formed to put his philosophy into practice. The Farmer's Improvement Society of Texas, for example, was founded to help rural blacks obtain housing as well as health and life insurance and to help extricate themselves from sharecropping.

Du Bois, a Harvard Ph.D., focused his appeal for action on the "talented tenth," the growing cadre of educated blacks, urging them to wage a direct assault on the segregation and peonage blacks then faced, including their nearly total disenfranchisement from the political process. Out of the new commitment to social change emerged the NAACP, which Du Bois helped to found in 1909, and what is today the National Urban League, first organized in 1910.

The overriding goal of black philanthropy, through these organizations, came to be seen as the elimination of segregation. In 1941, as the nation entered the Second World War, black Americans decried segregation in the defense industry. A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, informed President Roosevelt that unless the he outlawed discrimination in defense industries and the federal government, Randolph would lead a march of 100,000 blacks on Washington. Roosevelt responded by issuing Executive Order 8802.

After the 1960s, blacks developed more institutional mechanisms for charitable giving, including black foundations and private philanthropy by wealthy blacks. Black-oriented federated fundraising organizations opened new opportunities for individual giving by non-wealthy blacks. In 1973, the four-year-old United Black Fund of Washington became the first black charitable federation included in Washington's Combined Federal Campaign, an annual fund drive held at federal government worksites. Several similar federations are located around the country.

Black philanthropy is a tapestry of compassion, self-help, and hard work that is still being woven today. With crossthreads formed of centuries of tradition and creative responses to emerging needs, black philanthropy reflects a longstanding commitment by black Americans to improving the lives of their brothers, sisters, and selves. ■

Higginbotham

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Had you overcome all of those barriers to housing and if you and your present wife decided that you wanted to reside in Virginia, you would nonetheless have been violating the Racial Integrity Act of 1924, which the Virginia Supreme Court as late as 1966 said was consistent with the federal constitution, because of the overriding state interest in the institution of marriage. Although it was four years after the *Brown* case, Richard Perry Loving and his wife, Mildred Jeter Loving, were convicted in 1958 and originally sentenced to one year in jail because of their interracial marriage. As an act of magnanimity the trial court later suspended the sentences with the provision that the couple leave the state not to return for 25 years.

If the Virginia courts had been sustained by the United States Supreme Court in 1966 and if, after your marriage, you and your wife had, like the Lovings, defied the Virginia statute by continuing to live in your present residence, you could have been in the penitentiary today rather than serving as a Justice on the United States Supreme Court.

Conclusion

This Letter may imply that I am somewhat skeptical as to what your performance will be as a Supreme court Justice. Candidly, I and many other thoughtful Americans are very concerned about your appointment to the Supreme Court.

I am sixty-three years old. In my lifetime I have seen African-Americans denied the right to vote, the opportunities to a proper education, to work and to live where they choose. I have seen and *known* segregation. But I have also seen the decision in *Brown* rendered. I have seen the first African-American sit on the Supreme Court. And I have seen brave and courageous people, black and white, give their lives for the civil rights cause. My memory of them has always been without bitterness or nostalgia. But today it is sometimes without hope; for I wonder whether their magnificent achievements are in jeopardy. I wonder whether (and how far) the majority of the Supreme Court will continue to retreat from protecting the rights of the poor, women, the disadvantaged, minorities and the powerless. And if, tragically, it does continue, I wonder whether you Justice Thomas, an African-American, will be part of that majority.

No one would be happier than I if the record you will establish on the Supreme Court in years to come demonstrates that my apprehensions were unfounded. You were born into injustice tempered by the hard reality of what it means to be poor and black in America, and especially to be poor because you are black. You have found a door newly cracked open and you have escaped. I trust you shall not forget that many who preceded you and many who follow you have found, and will find, the door of equal opportunity slammed in their faces through no fault of their own. And I also know that time and the tides of history often call out of men and women qualities that even they did not know lay within them. And so, with hope to balance my apprehensions, I wish you well as a thoughtful and worthy successor to Justice Marshall in the ever ongoing struggle to assure equal justice under law for all persons.

Sincerely

A. Leon Higginbotham, Jr.
Chief Judge Emeritus, U.S. Court of Appeals
for the Third Circuit

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Prisoners of the Drug War

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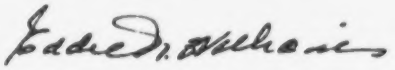
Sitting on a Fault, Waiting for Disaster

When four white police officers delivered more than 50 blows of their nightsticks to one unarmed, defenseless black man, they dealt a crippling blow to the black community's faith in the law enforcement system. Despite black Americans' horror at the videotaped scene of violence, they trusted the nation's justice system to right the wrong that had been done. The acquittal verdict from a panel of jurors in Simi Valley, California expanded the assault on King and shattered an entire nation's faith in justice. That verdict sends two unfortunate messages: For those who wear the uniform of the law, the message is that anything goes; for those whose only badge is their skin color, the message is that justice from the police and the courts is not always forthcoming.

The violence done to Rodney King on the street and in the courtroom triggered a disastrous and unforgivable conflagration. Disasters are not uncommon in Los Angeles—floods, mud slides, brush fires, and, since much of the city lies on a massive underground fault, earthquakes are frequent if unwelcome visitors. While these natural disasters cause damage and somtimes claim lives, they are seldom as costly in human life or property as the riots in South-Central Los Angeles.

The greatest tragedy of all is that we are asking ourselves the same questions that were asked in the aftermath of the Watts riot a quarter of a century ago: What caused the riots? What can be done to prevent this from happening again? Ironically, the answers are the same now as they were then. The underlying causes of the riots were racial alienation, poverty, unemployment, neglect, and hopelessness. Sadly, these conditions still exist in many urban communities. What is most alarming is that from political and business leaders down to ordinary citizens, the social and economic problems that form preconditions for civil unrest are too often viewed as some massive underground fault that can't be fixed. The truth is that man-made disasters, unlike natural disasters such as earthquakes, can be anticipated and prevented!

But vision, leadership, and action are required in equal amounts. Also, in the near term, there must be a full investigation of the growing crisis of unequal justice in America. Confidence that justice is for all Americans must be restored. Meanwhile, most Americans must be about the business of healing this nation's deep racial and ethnic divides. Our public policies must have both moral force and the financial clout to address real problems. We must fully reinvest in time tested and effective programs that work like Head Start, compensatory education programs, the Job Corps, pre-natal care, and child nutrition. Other proposals are on the table such as trading college tuition for community service, raising teachers' pay, and enterprise zones with provisions to provide venture capital to minority entrepreneurs. Bipartisan leadership is needed, and those who are the victims of the urban crisis must be invited to help determine the solutions to the crisis. It should now be painfully clear that if we neglect front end needs, we will be manufacturing future disasters with costly back end results. We must not go through another 25 years sitting on a fault and waiting for another disaster to happen. ■



PRESIDENT

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Playing the Race Card

The Racially Motivated Policies of Some Presidents Have Deprived Blacks of Full Equality and Social Justice

by David C. Ruffin

The Rodney King trial and its aftermath should serve as a reminder to the nation's leadership that we neglect at our peril the continuing exclusion of minorities from full participation in this society. America's ugliest traditions—racism, ethnic hatred, and cultural intolerance—have been prominent and destructive forces in our society since the founding of our democracy.

Americans of color—black, red, yellow, and brown, many of them still victims of racially motivated abuse and violence—have always struggled for true equality and fair treatment. Yet efforts by the nation's leaders to include non-whites as full citizens into the American enterprise have been relatively recent and inconsistent. How this tragic legacy of racism has played out in national politics can be seen through a brief review of the relationship between black Americans and U.S. presidents.

Turning a Blind Eye to Lynching

In the 19th century, proponents of slavery and abolition waged political battles that frequently spilled over into electoral politics and culminated in the presidential campaign of Abraham Lincoln in 1860. As the North and South were locked in the Civil War, Lincoln's initial goal was to restore the Union even at the cost of continuing slavery. As the war dragged on, he freed the slaves both out of magnanimity and to deprive the South of their labor. The Emancipation Proclamation and the postwar constitutional amendments that granted blacks full citizenship rights turned the newly enfranchised African-American voters into devoted supporters of the GOP, the "Party of Lincoln."

Despite their mandated freedoms, blacks were relegated to second class citizenship throughout the Reconstruction era, and became the targets of vicious attacks by white mobs. According to W.E.B. Du Bois, 1,700 black people were lynched in America between 1885 and 1894. Such atrocities continued into this century, but Republican presidents Theodore Roosevelt and William Howard Taft turned a blind eye to the violence.

By the time of the presidential election in 1912, the relationship between blacks and the GOP was wearing thin. That year, leaders of the African Zion Church, aware that blacks were handicapped by keeping all of their political eggs in one basket, moved to expand their options. They enlisted the help of Du Bois, then editor of the influential *Crisis* magazine, in support of the candidacy of Democrat Woodrow Wilson. In exchange, Wilson expressed his "earnest wish to see justice done to the colored people in every matter...." and promised that "they may count upon me for absolute fair dealing, for everything by which I could assist in advancing the interests of their race." As a result, an estimated 100,000 northern blacks voted for Wilson.

But once in office, the president reneged on his pledge of "fair dealing" with black Americans. In 1915, African-Americans experienced some of the harshest brutality since the end of the Civil War. Wilson refused to take any action to ameliorate black suffering. He even went so far as to issue an executive order to segregate the U.S. Post Office and other federal agencies.

Closing the Citizenship Gap

It was not until Franklin Delano Roosevelt's second election campaign in 1936 that blacks would again attempt to break ranks with the Republican Party in significant numbers. They not only supported a Democrat for president, but indeed, ran for office themselves as Democrats. FDR openly reached out to African-American voters, and as the Great Depression of the '30s wore on, he made good on his promise to extend his New Deal programs to blacks.

However, just before U.S. entry into World War II, FDR had to be pressured to enforce antidiscrimination employment practices in defense industries. In 1941, A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters and a powerful black leader with national influence, threatened to march on Washington at the head of 100,000 black protesters. Roosevelt conceded and issued Executive Order 8802 barring discrimination in defense industries and in the federal government.

Responsiveness by presidents to the nation's racial problems was to reach its zenith in the 1960s. During the 1960 presidential campaign, John F. Kennedy made a public and politically risky telephone call to Coretta Scott King, whose husband Martin Luther King had been arrested and jailed in Atlanta for joining student sit-ins at

(Continued on page 4)

Mr. Ruffin is editor of *FOCUS*.

Race

(Continued from page 3)

segregated restaurants. Occurring in the midst of the volatile national civil rights struggle, JFK's campaign manager and brother, Robert Kennedy, angrily declared that John Kennedy had thrown away any chances for election with his telephone call to Mrs. King. The candidate's political instincts, however, proved to be right. The call sent a strong signal to African-Americans that Kennedy was sympathetic to their quest for civil rights and first-class citizenship. Kennedy went on to defeat Richard Nixon in the election, and shortly after taking office, submitted sweeping civil rights legislation to Congress.

After Kennedy's assassination in November 1963, his successor, Lyndon B. Johnson, took up the civil rights agenda and used his power and considerable political skill to move the Civil Rights Act of 1964 through the Congress. The measure was highly controversial because it proposed to end segregation in public accommodations, outlaw employment discrimination, and prohibit bias in federally funded programs.

In the spring of 1964, the House of Representatives passed the Act, H.R. 7152, by a two-thirds majority with 138 Republicans joining 152 Democrats in voting "yea." The Senate passed the measure with an equally strong, bipartisan vote of 73 to 27. Hubert Humphrey, Senate Democratic whip and the bill's floor manager declared, "The purpose of this bill is to close the citizenship gap in this country," adding that,..."America has been weakened because we haven't given full opportunity to all of our people...." Arizona Senator Barry Goldwater, the GOP presidential candidate, voted against the Act charging that the bill would "require the creation of a federal police force of mammoth proportions" and engender an "informer psychology" in the work place. But he and his position on the subject were buried in a Johnson election landslide.

The Pendulum Swings Back

In more recent elections, Republican presidential candidates have won the White House sweepstakes, in part, by playing the race card and polarizing the electorate. In 1968, Richard Nixon, referring to riot-torn black communities, vowed to restore "law and order" in a thinly veiled message that, if elected, he would deal harshly with blacks. His "Southern Strategy" was a gesture to white voters in the Old Confederacy that he did not intend to enforce civil rights laws.

Nixon defeated life-long civil rights advocate Hubert Humphrey who, as Johnson's vice president, had the disadvantage of being perceived as acquiescing in the unpopular expansion of the Vietnam War. Although Nixon began his presidency with an attitude of "benign neglect" toward blacks and rarely met with black leaders, his administration was not entirely negative toward black interests. He created the Office of Minority Business Enterprise (now the Minority Business Development Administration) as a part of his "black capitalism" policy. Furthermore, regulations establishing national policy on affirmative action were adopted during his administration. Nevertheless, Nixon's term in office marked a turning point away from the era of a racially progressive presidency.

This decline became even more apparent when contrasted with President Jimmy Carter's single term in office. Carter opened the White House to black leaders, provided funding for social programs established by Johnson, and appointed more than 40 blacks to federal judgeships. However, Carter's policy of opening the government to blacks faded with his unsuccessful bid for re-election.

The presidency of Ronald Reagan was unequivocally hostile to blacks. Part of his strategy in the 1980 election was to bring into the Republican political tent segments of the electorate that were opposed to civil rights and the social programs that had benefitted blacks and other minorities during the 1960s and '70s. Scapegoating blacks as one of the sources of the nation's problems, Reagan wrapped anti-black messages in code words. He reached out to white voters who were tired of "quotas" and "racial preferences" and conjured up images of "welfare queens" ripping off government programs to engage in expensive life styles.

As the GOP kept faith with its new conservative constituency, relations between African-Americans and the White House sunk to their lowest point in over 60 years. Reagan cut funding for social and economic development programs that benefitted the poor, blacks, and other minorities. He took an uncompromising attitude in his opposition to strong civil rights enforcement and attempted to decimate anti-discrimination laws.

Reagan's successor, George Bush, was long perceived to be a moderate in his views on race. But Bush sent a dual message to the country. His "Willie Horton" TV ads during the 1988 campaign reassured the Reagan coalition but left black Americans with a sense of foreboding. Despite this, however, his inaugural pledge to preside over a "kinder and gentler" administration brought hope to many African-Americans. Optimism was buttressed when Bush declared at the Joint Center's 1990 annual dinner that he accepted the challenge of having his administration live up to the "highest ideals of the civil rights movement." Yet his actions as president have been essentially to continue Reagan's policies on race as illustrated by his veto of the Civil Rights Act of 1990, calling it a "quota bill." (Some political observers believed he signed the measure in 1991 partly to avoid appearing to be philosophically aligned with former Klan leader David Duke, then campaigning as a Republican to be governor of Louisiana.)

It remains to be seen whether Bush will alter his policies in light of the Rodney King affair and provide the leadership needed to promote racial and ethnic accord in our multicultural democracy. ■

May 1992

POLITICAL TRENDLETTER

Inside This Issue:

- The FBI settles claims of discrimination with black agents.
- Charging that the GOP relegates minorities to token status, a black Republican group may spur the party to change through a successful lawsuit.
- Redistricting Update: North Carolina and Louisiana.
- Across the Nation: Congressman Lucien Blackwell holds on in Philadelphia, his colleague Mervyn Dymally of California retires; two black female political figures vie for an L.A. board of supervisors seat; and the son of L. Douglas Wilder is elected to the Virginia House of Delegates.

FBI Settles With Black Agents

In April, after admitting to a pattern of racially disparate employment practices, the Federal Bureau of Investigation (FBI) agreed to offer compensatory promotions, new assignments, and bonuses to several black agents. Lawyers for the agents called the deal "a fair resolution of vigorously disputed claims." While the agreement does not state that the FBI knowingly allowed racially biased practices to exist, it does acknowledge the existence of unfair policies and practices which may have led to disparities between the treatment of black and white agents. Of the 10,443 agents in the FBI today, 4.9 percent (512) are black; 5.8 percent (609) Hispanic; 1.5 percent (153) Asian; and 0.4 percent (42) Native American.

Last year more than 300 black special agents banded together as a group calling itself BADGE (Black Agents Don't Get Equality) and claimed that agents of their race were often overlooked when it came to upgraded assignments, pay increases, and training for supervisory positions. (See the July 1991 issue of FOCUS, "FBI Chief Discusses Racism, Drug War.") Some asserted that they were often reprimanded when they complained and then purposely passed over for future promotions. The black agents decided to retain attorneys to determine if the FBI had violated Title VII of the Civil Rights Act of 1964 which prohibits employment discrimination.

BADGE was represented by three legal teams: Arnold & Porter, a Washington-based law firm; the Washington Lawyers' Committee for Civil Rights Under Law; and Kinoy, Taren, Geraghty & Potter, based in Chicago. In an effort to avoid a nasty court battle like the one the Bureau underwent in 1989 when a group of Hispanic agents in Texas filed and won a discrimination lawsuit, FBI Director **WILLIAM S. SESSIONS** ordered internal investigations into BADGE's allegations. After an examination of personnel data and statistical information by both the Bureau's and BADGE's attorneys, the FBI acknowledged the discrepancies.

Several measures will be taken to improve the Bureau's practices. They include: the promotion (with back pay) of six black agents to supervisory positions; the elevation of more black agents into the Special Weapons and Tactics (SWAT) teams, which are responsible for conducting high-risk missions; restitution for some black agents of passed-over bonuses and awards; and the hiring of outside consultants to assist the Bureau in developing more equitable disciplinary procedures, supervisory training, and career development programs. Remarking on the agreement, Sessions said, "The changes to policy and procedures that have been agreed to will make the FBI a stronger and more cohesive organization and one that is perceived as fairer to all of its employees." FBI officials do not foresee the agreement causing friction between black and white agents. Rather, they view it as beneficial to all personnel.

DAVID SHAFFER, an attorney at Arnold & Porter, says the FBI's measures should be seen as a form of redress for a pattern of past inequitable practices and that these changes should insure fair treatment of black agents

in the future. **JOSEPH SELLERS** agrees. A lawyer with the Washington Lawyers' Committee for Civil Rights Under Law, Sellers says, "No change in rules can change human behavior immediately. Those who want to discriminate will. We hope the agreement will make it harder to do so and make those who do discriminate readily accountable for any clandestine actions they take."

Black Republicans Claiming GOP Discrimination Win Lawsuit

In an apparent victory for the Freedom Republicans, the black GOP group, a U.S. district court judge ruled on April 7 that the Federal Elections Commission (FEC) must adopt civil rights enforcement regulations that apply to minority participation in political parties. At issue is a lawsuit filed by the group against the FEC because it has refused to invoke Title VI of the Civil Rights Act of 1964 to compel the Republican Party to include more blacks as presidential convention delegates and as members of its national committee.

The ruling by judge **CHARLES R. RICHEY** means that once the Commission formulates anti-bias rules it can withhold federal funds from a political party proven to discriminate in delegate selection. The decision signaled a ray of hope for the predominantly black New York City-based Freedom Republicans, who claims the Republican National Committee's (RNC) rules governing delegate apportionment and RNC membership lock out minorities.

The Freedom Republicans charge that the RNC relegates the party's racial and ethnic auxiliary groups to "ornamental quotas" with no real power. Currently only three (all from the U.S. Virgin Islands) of the 165 RNC members are black. (See January TrendLetter). At the 1988 Republican convention, black delegates were just three percent of the 2,277 total. This minimal black participation led the Freedom Republicans to lodge a formal complaint with the Commission in December. The FEC dismissed the complaint, claiming it lacked jurisdiction and that Title VI does not apply to the funding of political conventions because it would violate the First Amendment protection of freedom of assembly. So in January the Freedom Republicans filed their suit. Finding in favor of the group, Judge Richey's decision asserts that the legislative history of the Federal Election Campaign Act Amendments of 1974 does not suggest a congressional desire to prevent the FEC from enforcing Title VI provisions. The ruling goes on to cite numerous court precedents in which the interests of free speech and freedom of association have been overridden by the need to prevent state-sponsored discrimination.

Since the GOP receives money from the Commission for its presidential convention, the Freedom Republicans hope the possibility of financial loss will encourage the party to implement rules more conducive to the selection of black delegates and RNC members. **LUGENIA GORDON**, president of the Freedom Republicans, was pleased with the ruling but noted that the group's dispute with the GOP is not over. She says the group is consulting with its Washington, D.C., attorney **FRED KELLOGG** regarding what the next step will be in its efforts to gain greater access for minorities in the party. "I'm fighting for a principle; a true two-party system in this country. Black people will be free only when both parties are running after us for our vote," says Gordon.

In the lawsuit, the plaintiffs also requested suspension of funds from the GOP's convention in Houston on August 17 to 20, but that request was not granted. According to the FEC, both parties received $11,048,000 this year for their conventions, based on a formula dictated in the Presidential Election Campaign Fund Act of 1971. **KYLE SIMMONS** of the RNC's convention office in Houston, said a rough estimate of the cost of this year's convention would be more than $20 million dollars. Despite Richey's favorable ruling, black involvement in this year's Republican Convention is not likely to increase much above that of four years ago. For although the judge's decision recommended urgent action on the part of the FEC, a definite timetable for adopting Title VI rules was not stipulated. The rule-making process involves several steps and will not be completed before the RNC's convention. Furthermore, a Commission spokesperson says the FEC may appeal the decision.

Redistricting Update: North Carolina and Louisiana

This year, the Congressional Black Caucus will expand its membership by as much as 50 percent due mainly to the redistricting process. Several new congressional districts with majority-black populations have been created, mostly in Southern states, which will enable voters in several Southern communities to elect African-Americans to Congress for the first time since Reconstruction.

Two black candidates from newly formed districts in North Carolina recently moved closer to winning seats in Congress. On May 5 black Warren County Commissioner **EVA CLAYTON** won a place in the June 2 runoff for the Democratic nomination to represent the newly created, mostly rural 1st district in the Fayetteville and Wilmington area. She will go head-to-head with white state representative **WALTER B. JONES, JR.**, the son of the retiring incumbent **WALTER B. JONES, SR.** (See April Across the Nation) Jones almost walked away with the nomination by winning 38 percent of the vote to Clayton's 31 percent among a field of seven candidates. In North Carolina, a candidate only needs a plurality of 40 percent to win. Local politicos say second primaries have not worked in black candidates' favor mainly due to low voter turnout. But poll results from the May 5 primary indicate that black turnout has increased. If Clayton wins the runoff, she will take on white Republican **TED TYLER** in November.

In the race for the state's other majority-black congressional district—the 12th, including parts of the state's major cities in the Piedmont region—Charlotte attorney and former state senator **MELVIN WATT** soundly defeated Durham state representative **HENRY M. "MICKEY" MICHAUX** (47 to 27 percent respectively) to win the Democratic nomination. Both of them are black. The Republican nomination will be decided in the June 2 runoff between two black candidates, attorney and Guilford county (Greensboro) clerk of the court **BARBARA GORE WASHINGTON** and state assistant secretary of human resources **GEORGE JONES, SR.**, of Raleigh. Washington received 33 percent of the vote in the primary to Jones' 21 percent. The state has not been represented in Congress by a black person since 1901.

In Louisiana, the state house on May 7 passed its redistricting bill, which would create a new 7th congressional district with a black voting-age population of 63 percent. The 7th would include parts of Shreveport, Monroe, Alexandria, and East Baton Rouge. The state senate is considering its own redistricting proposal. The final redistricting plan will require the approval of the U.S. Justice Department or a federal court as mandated by the Voting Rights Act of 1965.

Newly Created Majority Black Congressional Districts[a]

State	District Number	Major Cities	% Black Voting Age Population
Alabama	#7	Birmingham, Montgomery	64
Georgia	#2	Columbus, Macon	53
	#11	Augusta, Savannah	60
Maryland	#4	(suburbs of Washington, D.C.)	59[b]
North Carolina	#1	Wilmington	53
	#12	Durham, Greensboro, Winston-Salem, Charlotte	53
South Carolina	#6	Charleston, Columbia, Florence	58
Texas	#30	Dallas	46[c]
Virginia	#3	Richmond, Norfolk	61

[a] As of May 11, 1992
[b] Percent of the *total* population that is black
[c] 15 percent of the voting age population is Hispanic

Source: Joint Center for Political and Economic Studies

Across the Nation

CALIFORNIA: After serving six terms, Compton's Democratic Congressman **MERVYN DYMALLY**, 65, will retire this year, ending a political career that spans 30 years. Prior to his election to Congress in 1980, he served as a state representative, the state's first black state senator, lieutenant governor, and was also a member of the Joint Center's board of governors. Dymally has endorsed his 33-year-old daughter LYNN, a candidate who currently serves as a Compton school board member. An attorney and owner of a management and consulting firm, the younger Dymally has served eight years on the school board.

In the June 2 primary she will battle four other contenders for the Democratic nomination, including Compton's black mayor, **WALTER R. TUCKER, JR.**, who is completing the unexpired term of his namesake father who died in office last year. Also in the race are Carson city council member VERA R. DeWITT, a Hispanic; **LAWRENCE A. GRISBY**, a black Los Angeles attorney; and Hispanic businessman **JOE MENDEZ, JR**. There are no Republican contenders for the newly redistricted 37th district seat which includes the southern Los Angeles County communities of Compton, Carson, Watts, and Long Beach, parts of which were devastated by the civil disturbances that followed the **RODNEY KING** verdict. According to **BASIL KIMBREW**, a black Los Angeles political consultant, the key issue in this campaign is "how to rebuild the area." Both Dymally and Tucker are demanding, among other things, minority business development in their communities and state and federal assistance for economic revitalization.

In Los Angeles, two political heavyweights—former Congresswoman **YVONNE BRATHWAITE BURKE** and Democratic state senator **DIANE WATSON**—are vying for the 2nd supervisorial district seat on the powerful five-member county board of supervisors. Burke and Watson are considered to be leading the field of 12 candidates in the June 2 primary. The district has more than 1.5 million citizens, most of whom are black or Hispanic. This is a high-stakes contest; the board of supervisors represents more than 7 million people, has legislative, executive, and judicial authority, and oversees a budget of more than $8 billion.

A former three-term assemblywoman and vice chair of the 1972 Democratic National Convention, Burke was elected to Congress in 1972—the first black woman ever elected to the House from California. She served six years in Washington and decided not to seek a fourth term, choosing instead to make an unsuccessful bid for state attorney general in 1978. In 1979 then-Governor **EDMUND "JERRY" BROWN, JR.** appointed her to fill a vacancy on the board of supervisors. Representing the largely white Malibu and Long Beach areas, she served one year, and lost election to a full term the following year. Burke has been endorsed by the district's supervisor of 40 years, **KENNETH HAHN**.

In 1979 Watson became the first black woman elected to the state senate. Currently serving her fourth term, Watson chairs the Health and Human Services Committee and serves on several other committees, including budget and judiciary. Prior to her senate career she was an educator—teacher, principal, assistant superintendent, college instructor—and served four years on the board of the Los Angeles school district. Most of the residents in her senatorial district, the 28th, also reside in the second supervisorial district where Watson enjoys considerable visibility and name recognition.

In San Francisco, board of supervisors president **DORIS WARD** was appointed by Mayor **FRANK JORDAN** as tax assessor for the city and county in March. A Democrat, Ward is the first black and the first woman to hold the position. A 12-year veteran of the board and the first black to serve as president, Ward replaces **RICHARD HONGISTO** who was appointed police chief. Ward supervises a staff of more than 100 and is in charge of raising about 35 percent of the city's revenues. Her agency prepares the tax rules that apply to businesses, personal property, and real estate.

PENNSYLVANIA: In the April 28 primary, Philadelphia congressman **LUCIEN BLACKWELL** turned back an aggressive challenge from **C. DELORES TUCKER** for the Democratic nomination for his 2nd district seat. Tucker chairs the Democratic National Committee's black caucus and was a previous secretary of state. A former state representative, city council member, and union leader, Blackwell claimed 54 percent of the vote, out-polling Tucker by 13 percentage points. Blackwell will face Republican **LARRY HOLLIN** in the November general election. Blackwell is all but certain to win in this majority-black and overwhelmingly Democratic district.

VIRGINIA: Like father like son. And so it is for **LAWRENCE D. "LARRY" WILDER**, son of the state's first black governor **L. DOUGLAS WILDER**. The younger Wilder won a seat in the state house of delegates in a May 5 special election. Capturing 46 percent of the vote, Wilder defeated three opponents for the seat representing the 70th district in Richmond: black Republican **LYNDA G. OWENS**, white independent **CECIL H. CREASEY, JR.** and black write-in contender **EARNESTINE CLARK**. The 30-year-old attorney will complete the unexpired term of black Democrat **ROLAND EALEY**, a five-term member who died in March. A graduate of the University of Virginia Law School, Wilder is a partner in the Richmond law firm of Wilder and Gregory.

Prisoners of the Drug War

Are Boot Camps Being Used to Rehabilitate Young Offenders Or Are They Just Traditional Prisons With Marching Drills?

by Katherine McFate and Cheryl Reed

In recent years, as the nation's jails and prisons overflow with drug offenders of ever younger ages, many public officials have begun to search for alternatives to lengthy prison sentences. Military-style "boot camps" for young offenders have become a politically attractive innovation. Over half the states in the country have established such "shock incarceration" programs. Do these programs reduce recidivism among young offenders or are they largely ineffective efforts to show the public that politicians are "tough on criminals"?

With that question in mind, this article looks at the causes of the prison overcrowding that has been the impetus for boot camp programs, describes several kinds of programs currently in operation, and discusses the shortcomings and the potential of these programs as an alternative to "hard time."

The Drug War and Black Males

The prisoners of America's "War on Drugs" are disproportionately minority males. In 1980, 25 percent of drug arrestees were black; by 1990, over 40 percent were black. In 1983, one in 15 inmates in state prisons was a drug offender; by 1988, the figure was one in five. And mandatory sentencing guidelines have nearly tripled the average time a drug offender spends in prison—from 2.2 years in 1985 to 6.5 years today. In short, although the current administration's National Drug Control Policy emphasis on supply reduction and law enforcement has not significantly reduced the availability of drugs, it has overburdened the criminal justice system at all levels.

The growth in drug arrest rates among black youth reflects both a growing involvement in the drug trade due partly to declining opportunities in the legal economy, and the prevalence of black youth in street-level dealing, an "occupational niche" that makes them easy targets for arrests. Police are much more likely to arrest and incarcerate individuals at the lowest level of drug distribution operations—there are more of them to find, they are highly visible. Moreover, although whites, Hispanics, and Asians are also involved in the drug trade, police often target low-income black areas for anti-drug sweeps, which puts black youth at greater risk of arrest and incarceration than youth of other races.

Growing involvement in serious drug abuse may be another reason young minority males are increasingly likely to find themselves in prison on drug charges. The National Institute of Drug Abuse Household Survey shows that black males between the ages of 18 and 25 reported the highest rate of regular cocaine use of any age-race-gender group. An estimated one of every twenty 18-to-25-year-old black males in the U.S. reported using cocaine monthly in 1990. More than half the black males who appear in emergency room incidents—as reported by hospitals participating in the Drug Abuse Warning Network—describe the motive for their drug use as addiction. Drug addiction often traps abusers in a cycle of dealing-to-support-drug-use, placing them at great risk of criminal prosecution.

Quantitative evidence shows that arrest and incarceration have a devastating impact on young African-American males. Harvard economist Richard Freeman has found that prison severely reduces a young black man's chances of finding legitimate employment and reduces his long-term earnings potential. In the U.S. today, one of every four black males between the ages of 18 and 29 is under criminal court supervision (awaiting trial, on probation or parole, or incarcerated).

Boot Camps as an Alternative to Prisons

As drug enforcement efforts intensified in the mid-1980s and mandatory sentences increased average prison terms for drug offenders, prison overcrowding became a major problem. The federal prisons are operating at 159 percent of their stated capacity. Between 1985 and 1988, federal corrections expenditures increased by 61 percent. Primarily because of costs and overcrowding problems, criminal justice officials have begun to experiment with alternatives to traditional prisons. Currently, 26 states operate "shock incarceration" or "boot camp" programs. In addition, a number of counties also run their own programs. Two states, Texas and New York, are developing special boot camps for adult drug offenders.

Shock incarceration programs typically include physical drills, rigorous exercise, and work, and it is usually reserved for nonviolent, first-time offenders or young people. Based on the kind of training used in the military, the rationale is that an intensive course of strict discipline may "shock" these offenders into law-abiding behavior. Some programs are used as an alternative to serving any time in prison: an individual volunteers or is sentenced to a

Ms. McFate is a senior research associate and Ms. Reed is a research assistant at the Joint Center.

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boot camp (usually for a three- to six-month course) and then spends time under community supervision. This alternative may curb contact with criminal networks and, since employment is typically a condition of probation, can push the offender back into the legitimate labor market quickly. Both effects would help to reduce recidivism.

However, in most states, participation in boot camps does not replace prison time, it only reduces the length of the individual's prison term. In other words, the offender spends the first part of his sentence in regular prison and is released to early parole upon completion of the boot camp program. These kinds of programs can help reduce prison overcrowding—and save taxpayers' dollars—by churning inmates out of the system more rapidly, but it is unclear that they can accomplish much more.

The most comprehensive and effective boot camp programs provide personal counselling, educational opportunities, and skills training as well as physical discipline regimens. The "About Face Program", established in New Orleans in 1987 to reduce sentences, is a good example of a more reconstructive approach. About Face serves 100 inmates at a time who are between 17 and 40 years old and have been charged with nonviolent offenses. Participants are selected from among prisoners who have applied for acceptance in the program and who meet certain critieria. The program offers one-on-one counselling, substance abuse programs, community service, educational courses, vocational training, and life skills training. Special attention is also given to preparing inmates for release. Each participant is required to make family and employment contacts upon release to ensure a return to a stable environment. Upon completion of the six-month program, graduates are considered for immediate parole. To date, no graduate has had his parole denied. A preliminary evaluation shows that only 9 percent of a group of adult About Face graduates have returned to prison in the three years after graduating. Given that the average three-year recidivism rate in the nation is over 60 percent, this figure is extraordinary. It is even more impressive given that 85 to 90 percent of About Face participants had a history of substance abuse. However, these findings must be qualified by the fact that only a select group of inmates is accepted into the program and only about one-third of those accepted actually completes the course.

Boot Camps for Juveniles?

As the average age of young drug offenders decreases, juvenile detention centers are also becoming overcrowded. Since black juveniles are the fastest growing group among inmates of penal institutions, they are most likely to be affected by the problem of overcrowding. Between 1985 and 1986, the number of juvenile cases handled by the courts increased by only one percent; however, the number of juveniles sentenced to detention centers as a result of drug charges during that period increased by 21 percent. In that one year alone, the number of nonwhite youths referred to reformatories by juvenile courts increased by 42 percent. This increase in referrals coupled with the court's greater likelihood of detaining drug offenders resulted in a 71 percent rise in the number of nonwhite youths detained for a drug offense, according to a March 1990 report from the U.S. Department of Justice.

Overcrowding affects the ability of juvenile facilities to provide the rehabilitative services most are meant to supply. The annual cost of incarcerating a juvenile can be as high as $40,000 per inmate compared to an average of $25,000 for adults, because juvenile detention centers are required to provide educational, vocational, and counselling services. However, with overcrowding and staff shortages, many juvenile detention centers have become nothing more than human warehouses. Boot camps are now being suggested as a mechanism for providing more comprehensive services to juvenile inmates.

The Los Angeles County Probation Department Drug Treatment Boot Camp program has been heralded as a promising new intervention model. Established in September 1990 specifically for juvenile drug offenders, this L.A. boot camp is the first program of its kind in the United States. A residential program, it targets male drug offenders who have a documented history of substance abuse and are between the ages of 16 and 18. The program lasts an average of five months.

The L.A. program's paramilitary setting provides structured discipline but is based on a rehabilitative philosophy. Similar to About Face, it offers individual counselling, drug education and treatment, job training, and work interspersed with a program of drills, marching, and physical training. Furthermore, through the program, the L.A. County Office of Education provides certified and accredited high school courses. Participants are in school every other weekday and work on alternate weekdays under paid-contract work assignments.

The County Department of Public Works, the Department of Water and Power, and the Rapid Transit Department pay $450 a day per work crew, and each participant earns $10 per day toward court-ordered restitution to victims of crime. A nonprofit contract agency called the Inter-agency Drug Abuse Recovery Program provides chemical-dependency treatment services for the juveniles and training programs for the staff. The program serves a maximum of 210 youngsters at a time.

When a youth completes the L.A. program, he is released to six months of intensive supervision. Six deputy probation officers are assigned to work exclusively with these juveniles, and each is assigned a relatively small case load of 35 to 50 clients. The officers provide personal counselling, and they coordinate services from other community-based organizations. They focus on education, vocational guidance and employment.

Since its inception, 883 juveniles have been admitted to

(Continued on back page)

High Risk Homes and Educational Failure

Poverty and Single Parent Homes Are Among the Risk Factors That Contribute to the Poor Educational Performance of Many Children

by John Wilson, Jr.

As the nation attempts to grapple with one of its most serious crises—educating its young—we are learning that many of the impediments to educational success among African-American children are risk factors that originate in their home environments. The five most serious risk factors are single parent households, poverty, low educational attainment of the parents, siblings who have dropped out of school, and the amount of time a child spends alone each day.

These risk factors begin to affect children as early as the primary grades. Children who tend to succeed in school usually start first grade with the social skills necessary to interact with their teachers and fellow students, have memorized the alphabet, and have been exposed to their age-appropriate literature. These skills and experiences are most often imparted by a knowing adult who provides the educational foundation upon which more sophisticated skills may be built. Unfortunately, single working mothers are often forced to devote more time to the financial support of their families at the expense of the educational development of their children.

Table 1 shows that by the time black 13-year-olds reach eighth grade, the proportions falling behind grade level increase dramatically for their age group. When children fall increasingly further behind in grade level, their risk of dropping out of school increases. And black dropouts with few skills are more likely to be unemployed, underemployed, and low wage earners as adults.■

Table 1. Percent of 13-year-old Black Males and Females 1 or More Years Below Grade Level, 1969-1989

Year	Males (in percentages)	Females
1969	37.7	33.5
1970	46.7	29.3
1971	43.7	24.5
1972	35.6	26.8
1973	49.0	23.1
1974	45.9	30.1
1975	29.9	28.9
1976	30.1	15.9
1977	28.5	27.2
1978	33.4	25.8
1979	37.6	25.8
1980	37.5	22.4
1981	36.7	32.3
1982	41.9	33.3
1983	52.5	26.0
1984	44.4	32.0
1985	44.1	40.0
1986	44.0	33.1
1987	43.2	33.2
1988	41.7	35.3
1989	51.5	38.0

Source: National Center for Education Statistics

Table 2. Percentage of Eigth Graders with Various Risk Factors, by Race/Ethnicity, 1988

Race/ Ethnicity	Parent is Single	Parents have no high school diploma	Income Less than $15,000	Sibling has dropped out of school	Home alone more than three hours daily
Total	22.3	10.5	21.3	10.0	13.6
White	17.7	6.2	14.1	8.8	12.0
Black	46.5	15.8	47.0	13.0	19.5
Hispanic[1]	23.4	33.4	37.5	16.0	16.3
Asian/Pacific Islander	14.2	8.8	17.8	6.1	15.9
American Indian	31.1	13.4	40.1	15.1	18.6

[1] Hispanics may be of any race.
Source: U.S. Department of Education

Dr. Wilson is a senior research associate at the Joint Center and is heading research on the crisis of black male youth.

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the L.A. boot camp; 500 have completed the camp and been released to aftercare; 189 are currently enrolled. Only 16 percent of those who entered the program have dropped out. With all operating expenditures included, the average daily costs per participant was $73 in fiscal year 1991. By contrast, the county's traditional juvenile detention hall ran to about $80 per person per day. This shows intensive rehabilitative courses are not necessarily more expensive than traditional approaches. While no official recidivism rates are yet available, preliminary data indicate that the rates among boot camp graduates will be significantly lower than the rates of juveniles in L.A.'s traditional institutions.

Unfortunately, local and state budget shortfalls in California for fiscal year 1993 may force the county to close this boot camp and 18 other boot camps in Los Angeles County. Although the County Board of Supervisors has written to both the governor and the state legislature requesting assistance, financing for the programs will depend on the budget package that the state will negotiate in the next few months. If these promising new alternatives are shut down, more Los Angeles County juvenile offenders will be forced into state-run, overcrowded institutions that are not equipped to offer the special rehabilitative services of these smaller programs.

It is likely that more young, minority drug offenders will be referred to boot camp programs. If the goal of these programs is simply to expose young males to some kind of short-term disciplinary training and to reduce overcrowding in high-security penal institutions, then boot camp advocates can claim success. If, however, the goal of these alternatives is to divert young men from lives of crime and to have a lasting effect on their recidivism rates, then the claims of success must be qualified. Only certain kinds of programs—those that provide remedial education, counselling, job training, post-release supervision—appear to be effective in reducing recidivism. Unfortunately, these "full-service" boot camps are still the exception, not the rule.

Nonetheless, the apparent success of providing comprehensive services to incarcerated youthful offenders raises serious questions about this society's approach to the drug problem and urban policy in general. If comprehensive boot camps can reduce recidivism and hence, the long-term overall costs associated with incarceration, why are they not in wider use? Why aren't these kinds of programs universally available options for judges when sentencing young adults? Even more to the point, if remedial education, job training, and counselling reduce recidivism, then isn't it reasonable to expect that participation in such programs could reduce initial incarceration rates? Why do young black men need to be imprisoned before we recognize the moral and financial imperative of providing them with the skills and training to enable them to participate in the larger economy? ■

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